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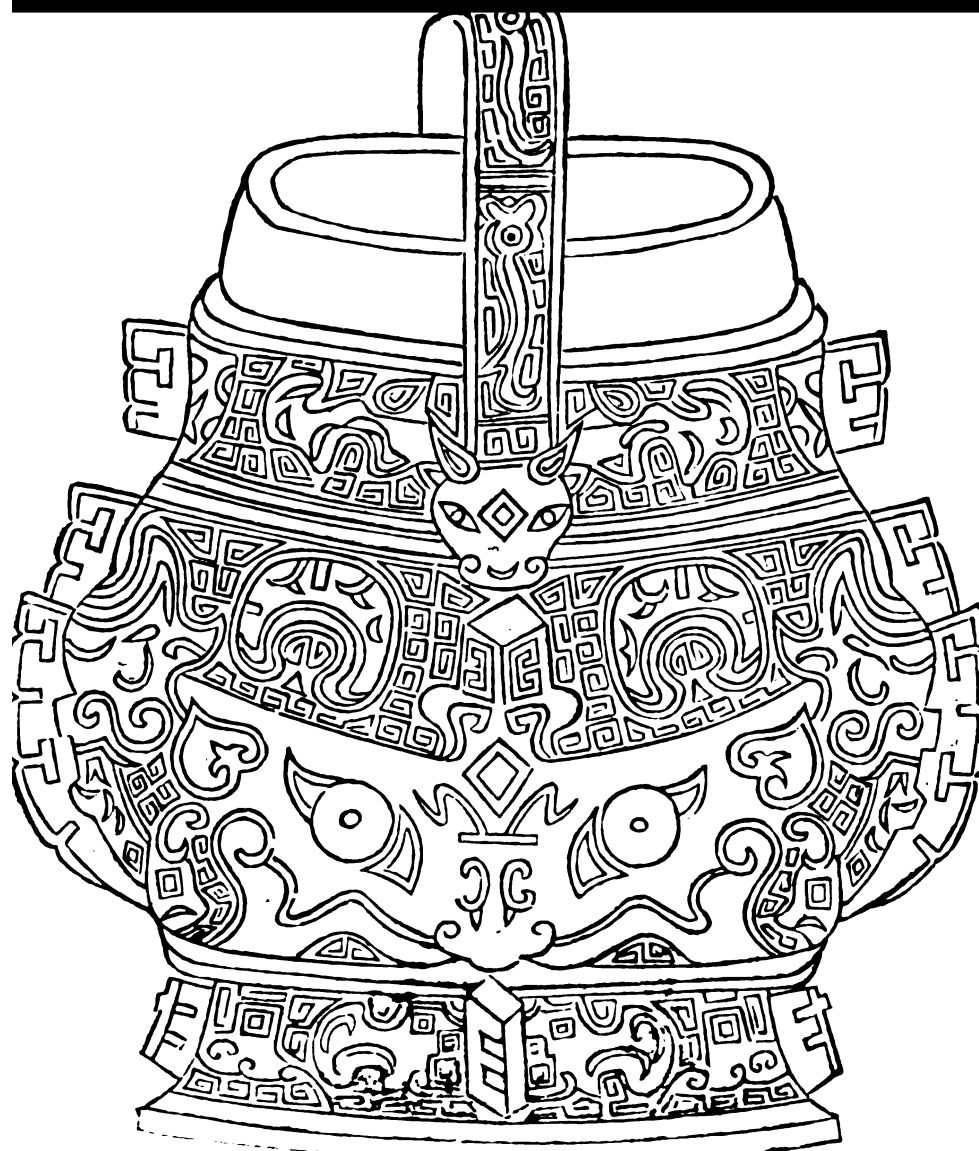
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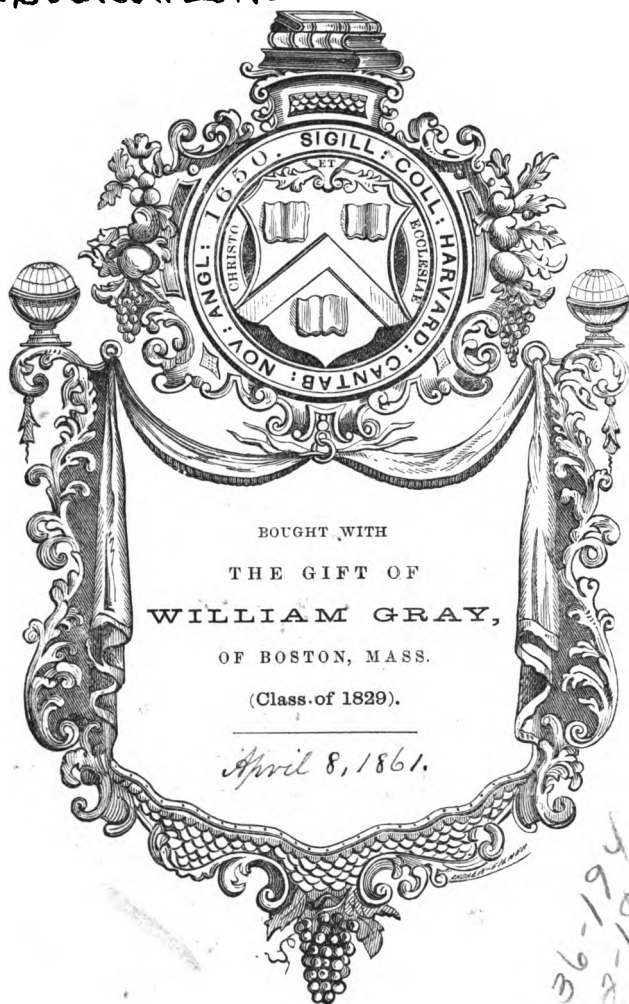
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*Journal of the Royal Asiatic  
Society of Great Britain & ...*

Royal Asiatic Society of Great  
Britain and Ireland

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THE  
JOURNAL  
OF THE  
ROYAL ASIATIC SOCIETY  
OF  
GREAT BRITAIN AND IRELAND.



VOLUME THE SECOND.

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# JOURNAL

OF THE

## ROYAL ASIATIC SOCIETY.

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ART. I.—*On the present State and future Prospects of Oriental Literature, viewed in connexion with the Royal Asiatic Society,*  
by W. C. TAYLOR.

*Read 6th December, 1834.*

WHEN the ASIATIC SOCIETY was first founded in Bengal, the purposes of its institution were stated in these memorable words by Sir WILLIAM JONES: "The bounds of its investigation will be the geographical limits of Asia; and within these limits its inquiries will be extended to whatever is performed by man, or produced by nature." The announcement was hailed with enthusiasm, not only by the ardent scholars who began to explore the untrodden fields of Indian literature, but by their distant countrymen, anxious to learn the result of their investigations. Asia has ever engaged the sympathies of Christian Europe; it was the cradle of our race, the birth-place of our faith, the first great source of our civilisation. We can read no history, investigate no antiquarian problem, nor examine any philological research, without having our attention more or less directed towards those vast *plateaux* whence our forefathers descended into the western world. Every new fact communicated respecting them interests us like intelligence of our family; every fresh monument of antiquity discovered in these regions claims the same respect that we accord to the tombs of our ancestors.

The retrospect of the progress made in Oriental literature, during the twenty-one centuries that followed the death of ALEXANDER, is far from gratifying. To the brief but brilliant age of Grecian glory succeeded a period when sophists and sciolists substituted guesses for research, and preferred the amusement of devising idle theories to the toil of conducting laborious investigation. A better era seemed to dawn with the first burst of the Macedonian conquests. ALEXANDER's true claim to the epithet of Great, rests not on his victories at

Issus and Arbela, but on his wise plan of uniting remote countries and different races into one empire, by the golden bonds of commercial intercourse, giving each an interest in the other's welfare, and imposing upon his countrymen something like a necessity of studying the elements of a social condition, which, because it rested on a base of civilisation different from their own, they had been accustomed to despise as barbarous. It is idle to speculate on what would have been the probable result of ALEXANDER's exertions; he died before his plans were matured, and his magnificent designs perished with him. Egypt next became the link between the eastern and western world. The city of Alexandria held Europe in commercial connexion with Asia; and its importance as a common mart for the two great divisions of the known world, was not diminished when it fell under the power of the Romans. Neither the CÆSARS nor the CONSTANTINES were destined to inherit the empire of ALEXANDER; the Parthian ARSACIDES held the former at bay, the Persian SASSANIDES excluded the latter from the interior of Asia. There was little to induce either dynasty to cultivate Oriental studies, and still less could be expected from individual exertion; for the Romans and the Greeks of the lower empire never dreamed of originality and accuracy either in science or literature. The progress of Christianity awakened attention to the religion and philosophy of the Asiatic nations; and Alexandria became a mart for opinions as well as merchandise.

"The population of Alexandria," says the delightful author of the *Epicurean*, "consisted of the most motley miscellany of religions and sects that had ever been brought together into one city. Beside the school of the Grecian Platonist was seen the oratory of the cabalistic Jew; while the church of the Christian stood undisturbed over the crypts of the Egyptian hierophant." India was not without its representatives in this Babel of creeds; the speculations of the sages on the banks of the Ganges were transferred, with all their gloom and all their mystery, to the banks of the Nile. We find ORIGEN's works replete with the same metaphysical developments of natural symbolism that have been shewn to us in the old Hindú philosophy by COLEBROKE and WILSON; and we have a tolerably accurate account of Budd'hism in the pages of CLEMENS ALEXANDRINUS. The consequence of all this is well known: there was a jumbling together of all creeds, philosophic and religious; Christian sects were formed, of whose faith Christianity was the smallest portion; questions were discussed transcending the utmost limits of the human intellect, and decided with all the flippant readiness of self-satisfied ignorance; council contradicted council, bishop wrote against bishop, until

belief was so involved in mazes of absurdity, that men gave up the trouble of inquiry, and agreed to receive just whatever the Church commanded.

It might have been supposed that the strange phenomenon of the Saracenic empire, passing so rapidly through the stages of infancy and childhood that men at the same moment learned its existence and trembled before its power, would have directed the entire attention of Europe to the country that gave it birth—would have provoked countless investigations into its nature and origin. No such thing. The theologians of that age, and many subsequent ages, decided that it was criminal to speak of any religion differing from the Christian in any other terms than those of contempt and horror. They declared that the religion of Islám was a compound of all conceivable abominations; and proved the accuracy of their information by stigmatising the Moslems as idolaters. But circumstances, over which these sapient doctors had no control, led to a better appreciation of Saracenic intellect. The sciences, which had almost perished in Christendom, were diligently cultivated at the courts of Bagdad and Cordova. Those who sought information in physical philosophy were obliged to have recourse to Arabic sources; and the consequence was, that the Arabic language and literature were diligently studied by the early revivers of learning.

The Reformation gave a new impulse to Oriental literature; the Protestants appealed to the Bible as the great standard of controversy, and many Catholic divines responded to their challenge. It became necessary to study the Holy Scriptures in their original languages; and a knowledge of Hebrew was regarded as a necessary qualification for a perfect theologian. It was soon discovered that Hebrew could not be thoroughly understood without some knowledge of the cognate dialects; and the entire family of languages commonly called Semitic, was diligently studied both in Great Britain and on the continent. The increasing trade between England and the Levant engaged others beside theologians to study Arabic and Syriac: POCOCKE, SALE, and OCKLEY, shewed the way to the investigation of the history and the creed of south-western Asia. By their exertions the name of "Oriental literature" was naturalised in our language; but its signification long continued restricted to the Semitic dialects. Englishmen long continued to believe, as some do to the present hour, that Oriental literature is a uniform something, compounded of the Old Testament and the Arabian Nights' Entertainments, of which the Hebrew portion is infinitely the most valuable. It is to be hoped that the Asiatics will never reciprocate the blunder, and suppose the

literatures of France, Spain, Germany, and England, to form one whole, whose character may be learned by compounding the *Paradise Lost* and *Don Quixote*.

This state of things continued to be universal, within the memory of persons now alive. The dawn of reformation appeared in India, where, as our empire extended, it became necessary to study the base of civilisation that prevailed among our subjects; in other words, to become acquainted with their religion, their history, their codes of legislation, and their popular traditions, because these are the great elements of national character. Whatever may be the fate of the name of WARREN HASTINGS in the world of politics, it should never be pronounced without respect in the world of literature. He found among the English in India a few individuals whose exertions were not damped by the apathy of the great majority of their countrymen, ardent scholars who loved learning for its own sake, and who devoted themselves to severe study, with little hope of fame, and none of remuneration. WARREN HASTINGS gave all the encouragement and aid in his power to these zealous and devoted men; and trifling as was the amount of patronage bestowed, it was the principal cause of the literary treasures of Hindústán being opened to the wonder and admiration of the world.

The great value of these treasures is now rarely disputed; but it would have been earlier and more generally acknowledged, had the exertions of the first who cultivated the field been scrutinised and regulated by such a body as the ROYAL ASIATIC SOCIETY. Left to their own individual judgments, having no censors to whose opinion they could appeal, no means of procuring co-operation to supply what was defective or correct what was erroneous, many of those who first investigated Indian antiquities, published partial, incomplete, and crude accounts, which they subsequently retracted themselves, or had the mortification of seeing refuted by others. But the mischief did not stop there. These imperfect theories, these mixtures of half-investigated truth and entirely erroneous guess, found their way into our libraries, and became books of reference to other theorists—men contented with information at second or twenty-second hand—men who substituted hypothesis for research, and deemed repeated assertion equivalent to continued argument. They pounced upon the errors—the refutations they had either not seen, or could not appreciate; they built edifices of absurdity on foundations of sand that tumbled to pieces in storms of universal ridicule; but the ridicule extended to the innocent cause, and Oriental literature was unjustly lowered in public estimation by the outrageous follies of mystified blockheads. Such

evils have become rare since the foundation of the ROYAL ASIATIC SOCIETY; scholars are brought together in its rooms who discuss the merits of every new discovery, and the foundations on which it rests. Individual enterprise is at once encouraged and directed; glaring errors at least are rendered easy of detection. The Society cannot, of course, prevent the occasional appearance of sciolists and shallow pretenders, but it enables the public to guard against their impositions; and the race must soon disappear as the chances of detection are multiplied.

Since the commencement of the present century, most scholars have learned to form correct notions of the diversified character of Oriental literature. They have learned that the literatures of Asia differ even more from each other than those of Europe. Indeed, common sense might long ago have taught them that every language must have its own peculiar writers—every nation its own characteristic literature, stamped with the inimitable type of its origin. We can no more conceive FIRDAUSÍ writing in China, than MILTON writing in France; and he who could suppose the legislation of MENU to have originated in Arabia, would be less mistaken if he imagined the Reform-bill to be a Russian ukase. The marked features of the Arabian writers are found to be different from those of the Persian. The Turkish authors resemble neither, though community of religion gives to all three some community of feeling. Sanskrit literature is perfectly anomalous, connected with every thing and identified with nothing; both in form and substance bearing so close a resemblance to the earliest relics of ancient Europe, that nothing but a common origin can account for the similarity. It was an astounding discovery, that Hindústán, over which so many conquerors had passed in wrath, and left their foot-prints as they went, possessed, spite of the changes of realm and chances of time, a language of unrivalled richness, variety, and extent—a language, the parent of all those dialects that Europe has fondly called classical, the source alike of Grecian flexibility and Roman strength; a philosophy, beside which, in point of age, the lessons of PYTHAGORAS were but of yesterday, and in point of daring speculation, PLATO's boldest efforts were tame and commonplace; a poetry more purely intellectual than any of which we had before any conception; and systems of science whose antiquity baffled all powers of chronological computation. This literature, with all its colossal proportions, which can scarcely be described without the semblance of bombast and exaggeration, claimed, of course, a place for itself,—“it stood alone, and it was able to stand alone.” The Chinese language and literature formed a new and totally independent

class; they as little resembled what was to be found in central, southern, or western Asia, as what was to be found in Europe. There was some difficulty in describing to the western world what the Chinese language and literature *were*—it was easy enough to tell what they *were not*; they were not like any thing that Europe had previously known. The claims of this extraordinary nation to the invention of gun-powder, the art of printing, and the use of the mariner's compass, threw around the little known of their merits an interest which it has been found difficult to maintain: but we are not now to examine the importance of Chinese literature; our present business is merely to assert its independent existence. The Indo-Chinese nations, as yet but imperfectly investigated, the Singhalese, the Malays, and even the extreme Mongolians, appear to have each a literature peculiar to themselves; and yet all these, differing so widely from each other that scarce any two have a common system of alphabetic representation, were, within the last half century, contained, or supposed to be contained, in the anomalous term, Oriental literature.

All the diversities of Asiatic literature have not been enumerated; but enough, and more than enough, have been mentioned to prove that they are beyond the grasp of a single mind, and that if the vast literary treasures of Asia are to be made available to Europe, the task must be undertaken by a society. But this rests not on theory alone: the Asiatic Societies of Bengal, England, and France, have done more for the elucidation of the literature, the philosophy, and the religion of the East, in a very few years, than had been previously effected in twenty-two centuries.

The study of the Sanskrit language, commenced almost within our memory, already holds the foremost rank among the objects that best merit the attention of the philosopher, the historian, and the admirer of intellectual beauty; its claims rest not on its novelty, but rather on the multitude and importance of the considerations it forces on our attention. It is not yet a century and a half since LEIBNITZ was led by his philological researches to the happy guess, that all the languages of Europe were derived from one common stock, and that this parent of all our western dialects must have come originally from Asia. What he only conjectured we have seen demonstrated. Beyond the Indus has been found a language gigantic in its proportions, admirable in structure, rich in literary productions of every description, presenting the most striking analogies not only to Greek and Latin, but also to the various Slavonic and Teutonic dialects. The bonds of parentage that unite the languages of Europe to this won-

drous tongue, have been established by Bopp and others beyond all possibility of doubt; and this result, the most surprising that philology has ever obtained, is also the most clearly demonstrated.

From the earliest ages, the country that possessed the commerce of India has taken the lead in the affairs of nations. England possesses more than the commerce of Hindústán—she has established an empire over uncounted millions, an empire more glorious than that of which Rome was so long the mistress; but the sole foundation of Britain's empire in the East is opinion. Its maintenance must consequently depend upon its continued accommodation to the opinions of its subjects; and in order to understand these we must become acquainted with the basis of their civilisation, the elements of their social condition, the causes that have formed their habits of thought, and the springs that supply their motives to action. But no country in the world offers so many difficulties in such investigations as Hindústán: to acquire the mastery of its gigantic language is almost the labour of a life; its literature seems exhaustless; the widest stretch of imagination can scarce comprehend its boundless mythology; its philosophy has touched upon every metaphysical difficulty; its legislation is as varied as the castes for which it is designed; while other races of settlers or conquerors, with languages, manners, and customs wholly different from the Hindús, are component parts of the anomalous whole subject to the sway of Britain. It is at once our highest duty and our best interest to provide for the security and prosperity of our Indian empire; but what individual mind could hope to solve all the problems of religion, philosophy, and law, presented in the social condition of Hindústán? The ROYAL ASIATIC SOCIETY has sent many labourers into the field; it has enabled those engaged in these investigations to take advantage of the division of labour, to compare and combine their several results, and to unite the learned men of Britain with the learned throughout Europe in the elucidation of problems which are objects of enlightened curiosity to all, but which should be still more important to Englishmen from their intimate connexion with the power and prosperity of their country.

But the languages and literatures of India, vast as is their extent, form only a part of the objects for which the ROYAL ASIATIC SOCIETY has been instituted. The arts of India, attested by such monuments as the cave-temples of Ellora and the fortress of Dowlatabád, merit the closest examination of artists and architects. Exertions have been already made by the Society to direct public attention to this almost neglected subject: in the course of the last year the Society published an essay on Hindú architecture, written by an eminent native, Rám

Ráz ; and the opinions which professional men have given of its value sufficiently prove that the artists of Hindústán could yield profitable instructions to their brethren in England : this work merits attention for other reasons. The ROYAL ASIATIC SOCIETY has greatly contributed to the progress of learning and consequent civilisation among the Hindús themselves. Knowing that the foundation of our empire in the East is the opinion entertained of our intellectual supremacy, it has been ever an object with the Society to make the Hindús understand the nature of that superiority. The more intelligence is diffused the more it is valued, and every native who has been taught to appreciate the superiority of British civilisation becomes of necessity a firm supporter of the system that continues the blessings of that civilisation to his country. But the effect of this encouragement extends farther : it is at once regarded by the great body of the Indian population as a proof that their British rulers are interested in their welfare, and as an incitement to further exertions. As far as is practicable, it would be wise to make the promotion of the natives in official situations a reward for intellectual exertions, and require from every servant of our government some proof that he is able to appreciate the mental superiority on which it rests, and to extend the influence of that superiority by being himself an example of its beneficial consequences. It is unnecessary to say that every motive should be supplied to Europeans in India by which they might be stimulated to the study of the political, social, and natural condition of that country : the principle has never been wholly laid aside by any of the governments of India ; and when so much has been done, it would betray a querulous disposition to dwell upon omissions.

The modern geography and statistics of India, and no inconsiderable portion of its geological structure, have been very ably investigated by members of the ROYAL ASIATIC SOCIETY and its branches. Indeed, all that relates to the population of the country, the different classes of its inhabitants, its agriculture, its manufactures, and its commerce, has been detailed with so much accuracy, that there are few European countries of which the economic facts have been so well established. Natural history has not yet been investigated proportionately to its importance, but there is reason to hope that this deficiency will soon be remedied by the active exertions of the young naturalists who have recently joined the medical staff in the three presidencies. The ground has been prepared for them by the labours of BUCHANAN, HAMILTON, HARDWICKE, WALLICH, ROXBURGH, HODGSON, SYKES, and ROYLE, whose zeal they cannot hope to surpass, and whose example they would do well to follow ; and there is no doubt that an

abundant harvest may be reaped if opportunities be afforded to the labourers.

Though the circumstances of our mighty Indian empire furnish the strongest claims of the ROYAL ASIATIC SOCIETY to the support of the British public and the British government—claims to which it would be difficult for any institution, literary or scientific, to furnish parallels—it has others scarcely less strong on all engaged in the commerce of the East, on all who derive advantage from general traffic. The ROYAL ASIATIC SOCIETY is designed to be the great storehouse of intelligence for all who desire information respecting the present state of trade and capabilities of all the countries between the eastern Mediterranean and the Chinese seas. The Levantine, Egyptian, and African merchants, are as deeply concerned in its prosperity as those who trade with India or with China: were its advantages as clearly understood as they ought to be, it would have a branch in every port and a member in every counting-house. In nothing more than in trade, and in no branches of trade more than in those between England and eastern countries, has the truth of the aphorism been demonstrated, that “KNOWLEDGE IS POWER.” But there are too many in the world who yield an otiose assent to the principle, but never try to reduce it to practice—who desire much to see the power increased and perpetuated, but neglect the knowledge which is its first element. The ROYAL ASIATIC SOCIETY had long to struggle against public apathy, but it is gratifying to know that its merits are beginning to be generally appreciated, and that it holds now a high place among our national institutions.

It may seem strange to connect Oriental commerce with Oriental literature, and many may deem the association unnatural; but no country in the world is more thoroughly utilitarian than England: in no other nation is it so difficult to introduce a new object of study, or extend the cultivation of an old one, without demonstrating its immediate pecuniary advantages. The languages of the Levant were most deeply studied when the Levantine company flourished in its pride of place; and Indian literature has been studied only as Indian commerce advanced. It is, therefore, clear that these studies were practically felt to be connected with the prosperity of trade; and the ROYAL ASIATIC SOCIETY only advances a recognised principle, when it declares that its literary claims are also essentially commercial.

From India let us turn to the empire of China, our relations with which demand a most extensive and accurate knowledge of customs and institutions peculiar to the Chinese. In this vast field much has been done, but infinitely more remains to do, and there is no hope

of its being effected except through the instrumentality of the ROYAL ASIATIC SOCIETY. The number of Europeans acquainted with the Chinese language is very limited, and they are widely scattered. It is only through the centralisation afforded by the Society that the separate labours of Chinese scholars can be collected, arranged, and converted to any useful purpose.

So little has been done for the Indo-Chinese nations and the Asiatic islands, that they alone would furnish employment to more labourers than the Society has members. Yet it is all but demonstrable, that a day is not far distant when the noble rivers of the eastern peninsula will afford to some nation or other lines of new and profitable commercial communications with central Asia; and then, as was the case with the Oceanic islands, we shall discover their value at the precise moment when they are lost to us for ever.

Central Asia opens other fields of inquiry interesting to the merchant and manufacturer; if steam navigation be established on the Indus, of which there is now very little doubt, marts for the sale of English goods will soon be opened in the almost unexplored countries between the Caspian sea and the wall of China; but the supply of these markets cannot be profitable unless founded on accurate information. There are, indeed, a few persons who could supply some portion of the instruction wanting, but it must never be forgotten that a single individual can rarely furnish knowledge in such a state of completeness as to render it available for practical purposes. The exertions of the ROYAL ASIATIC SOCIETY may obtain sufficient information to direct the mercantile speculations of British enterprise, but no other source is likely to be open to the public.

As long as the trade of the East was confined exclusively to one body such as the East India Company, it was the business of its directors to collect such statistical, economic, and geographical information as was necessary to the profitable management of trade; and where that information could not be procured no trade was attempted. But to what quarter, except to the ROYAL ASIATIC SOCIETY, can the individual merchants now engaged in the trade of the East look for guidance and direction? The want of such an institution has been fatally felt in America, for it is pretty well known that more fortunes have been lost than made by the American traders with India and China, simply because those engaged in it knew not what articles would best suit the eastern markets, nor what commodities they ought to import in return. Let then the merchants of England look to it: if the ROYAL ASIATIC SOCIETY receive such support as will enable it to collect and diffuse the knowledge necessary to prevent loss and ensure gain, the favourable

chances of their speculations will be increased a thousand fold; but if the Society's supporters be restricted to men of literature and science, who seek especially for abstract truth, then must our commerce be left to chance-guidance, or at best to such bits of information as sometimes stray into a newspaper or review.

Two projects, now in the course of being subjected to experiment, have directed a large share of public attention to western Asia; these are the probabilities of opening a shorter communication with India, either by the river Euphrates or the Red Sea. Persia and Arabia are perhaps the countries of Asia whose history, literature, antiquities, and present condition, have been most sedulously examined by western scholars. But what remains yet unknown is beyond all proportion greater than what is known. Philosophers have long laboured to discover the genuine type of Saracenic civilisation — a civilisation, by the way, to which Christendom is more deeply indebted than it has ever been found willing to acknowledge; but it is very doubtful whether we have yet sufficient materials collected for the investigation, and it is very certain that on no subject are mistaken notions more generally prevalent than on the genuine character of the religion of Islâm.

It may serve to relieve attention if the reader will turn to the fragment of the Arabic romance of *ANTAR*,<sup>1</sup> which has been recently brought to light by an eminent French Orientalist. If the *RITTER VON HAMMER*'s proofs of the genuineness and antiquity of this romance be held conclusive, and no one has as yet ventured on their refutation, the question of the origin of chivalry is decided — Arabia was incontrovertibly its parent. For another reason this fragment deserves to be noticed: it may be received as a sample of the literary treasures of which Europe would have been deprived but for the exertions of an Asiatic Society.

There is, however, little need of dwelling on the importance of Arabic and Persian literature, to all who desire to know thoroughly not merely Asiatic but European civilisation; a more important but less regarded subject is the commercial advantages that must result from a more extended investigation of both countries. At a moment when efforts are made to restore, if not the throne of the Pharaohs, at least of the Ptolemies; when the successors of a Russian Alexander are suspected of meditating enterprises similar to those of the Macedonian Alexander, it is of the highest importance to have accurate information of the geography, statistics, moral and physical strength, and social condition, of the countries that are the theatres of these events. Such

<sup>1</sup> See "Readings in Oriental Literature," a subsequent Article in this Number.

information can alone be collected by the ROYAL ASIATIC SOCIETY ; and if it be not enabled to do so, we shall soon learn the converse of Lord BACON's aphorism, and be taught practically that ignorance is weakness.

These remarks are desultory and discursive, because the objects of the ROYAL ASIATIC SOCIETY are at once greatly diversified and highly important. Many things have been passed over, especially in the departments of literature and science, that deserved extended observation ; but enough, it is presumed, has been said to prove that the ROYAL ASIATIC SOCIETY deserves the support not only of the philosopher, the man of science, and the lover of literature, but of every one who feels an interest in the prosperity and welfare of his country.

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ART. II.—*Observations on Atmospheric Influence, chiefly in reference to the Climate and Diseases of Eastern Regions, in Five Parts*, by W. AINSLIE, M.D., M.R.A.S., F.R.S.E.

Read 5th July, 1834.

## PART THE FIRST.

### REMARKS ON CLIMATE IN GENERAL.

“Aer quoque ipse, qui purus sacram vitæ flammam alit, impurus factus, eandem statim extinguere potest, vel multis vaporibus onustus, aut novicis quibusdam effluviis corruptus, ingentem morborum cohortem inducere.”—*Medicina* GREGORII *Conspectus*.

“To understand man, therefore, we must know wherefore it is that air is needful for his support: so to understand air, we must trace its relations to human life.”—PASCAL.

“Cælum, anni tempestas, solum, mare, montes, lacus, paludes, flumina, vapores, exhalationes, meteora, aerem ita permutant ut creet varios morbos, non pendentes adeo ex ipsa aeris indole, ejusve dotibus, qualitatibusque, quam quidem ex natura et efficacia admisti: unde etiam indi inquiri atque intelligi debent.”—*Institutiones Medicæ* BOERHAVI, p. 319.

FROM the most remote antiquity, the condition of the air, its temperature, the variation of the seasons, and the nature and quality of the winds, have been allowed to have a powerful influence on the frame of man, and to be no questionable sources of the healthiness or unhealthiness of the human race: nor is it strange that they should have been. We know that the father of medicine, HIPPOCRATES, who flourished towards the beginning of the fourth century before Christ, attributed much to such causes, as we may learn by consulting his *History of Epidemics*,<sup>1</sup> so well edited by Dr. FARR; also his work, “*De Aere, Aquis, et Locis*,”<sup>2</sup> in which he attempts to account for the difference of character betwixt the inhabitants of Europe and Asia; and, in the course of his investigation, recommends particular attention to be paid to the direction of the winds, and even to the rising

<sup>1</sup> See Work, chap. 1.

<sup>2</sup> See HIPPOCRATES, “*De aere et locis*,” xl.

and going down of certain stars: CELSUS,<sup>1</sup> who is supposed to have lived in the reign of AUGUSTUS, ascribed a great deal to the air and weather as conducing to health or otherwise: and GALEN,<sup>2</sup> who was for learning and talent justly considered as the ornament of his age, calls the notice of his readers, in many parts of his writings on medicine, to the condition of the atmosphere. POSIDONIUS, a philosopher of *Apamea*, believed dry air to be especially beneficial to the understanding; nay, DIODORUS SICULUS,<sup>3</sup> who wrote about forty years before the commencement of the present era, goes so far as to say, that that element, in its purity, was favourable to arts and sciences. What advantage PLINY<sup>4</sup> thought might be derived from the same source we may readily ascertain by referring to his *Natural History*; as for VIRGIL, we absolutely find him making it one of the delights of Elysium.

“Largior hic campus, æther et lumine vestit purpureo.”—ÆNEID.

CICERO<sup>5</sup> was of opinion that the lively and acute genius of the Athenians was in a great measure owing to the air of the capital—“*Athenis tenue cælum, ex quo etiam acutiores putantur Attici: crassum Thebis, itaque pingues Thebani!*” And in speaking of Ancient Greece, ROBERTSON<sup>6</sup> thus expresses himself—“The climate of those happy regions, equally exempted from the rigorous cold, which afflicts the inhabitants nearer to the poles, and from the sultry heat by which those within the torrid zone are oppressed, abounded with every influence propitious to the human race; the air was sweet, healthful, and uniformly temperate—invigorating without chiliness, and soft without effeminacy.” On the other hand, let us see what some of the ancients have said of the same fluid in a less pure or vitiated state. ATHENÆUS<sup>7</sup> in his *Deipnosophistæ*, has told us, that a thick heavy air makes the manners rude and uncivilised; so, as we find mentioned by FALCONER, in his valuable work on climate; ARISTOTLE<sup>8</sup> observed that marshy situations render people dull, stupid, and uninteresting.

<sup>1</sup> Vide Oper. CORN. CELS. lib. i.

<sup>2</sup> Vide Oper. GALENI, lib. xi.

<sup>3</sup> Vide DIOD. SIC. Descrip. Indis.

<sup>4</sup> See Nat. History, lib. iii. cap. xxxviii.

<sup>5</sup> See his Work *de Fato*.

<sup>6</sup> See ROBERTSON'S History of Ancient Greece—Introduction.

<sup>7</sup> His work is replete with much curious matter and many interesting anecdotes of the ancients—he was a grammarian of Naucratis. Vide Athen. lib. xiv.

<sup>8</sup> Vide Prob. xiii. quest. ii.

The natives of India are by no means inattentive to *atmospheric phenomena*, though, from their more fixed seasons, these cannot be supposed to prove the same anxious object to them that they are to the inhabitants of the temperate zone, where there are frequent and often rapid changes of weather: a celebrated *Sastrum*, touching on the subject, may be found in the *Siva Pagoda*, at *Tenkouchi*,<sup>1</sup> in Lower India, and entitled *Ganetamnotum*. The Persians of old were great observers of the seasons; and even in later periods they do not appear to have totally neglected such inquiries, as we learn by several works, for instance, *جامع العلوم Jáma' Al-Ulúm*, composed by SÚRF MUHAMMAD GHOS, of Gwalior, on astrology, geography, omens, &c. &c., and a celebrated book called *میزان طب Mízání-Tibb*, on heat, cold, moisture, and draught; and which was found in the library of the late TIPÚ SULTÁN.

To descend to still more modern times, we may advert to what BONTIUS<sup>2</sup> has written concerning the effects of *bad air* experienced by him at *Batavia*; or what Dr. BLANE<sup>3</sup> has given us, with a more masterly hand, in comparing that with the same element in its pure and strengthening condition. However, without entering here at length on the subject of the consequences of different temperatures on the human frame, which will be more in place in another part of these observations, it may be sufficient to mention generally, that cool air constricts the external fibres, thereby increasing their elasticity and favouring the return of blood to the heart; hence it is said, that the natives of cold climates (I speak not of extreme cold) are more vigorous than the inhabitants of the torrid climes; and this superiority of strength, says MONTESQUIEU,<sup>4</sup> must be conducive to various results; for example, a greater self-confidence, consequently more courage; a greater sense of superiority, consequently less desire of revenge; a greater conviction of security, and, on that account, more frankness, less suspicion, and less cunning. Hot air, on the contrary, it has been allowed, enervates and relaxes the body, excites the action of the nervous system in general, and of the cutaneous nerves especially, and renders them more susceptible of any impression; at the same time, by the great cuticular discharge which it induces, a corresponding exhaustion and faintness are occasioned, and with these, naturally less hardihood and animal intrepidity. To

<sup>1</sup> In the Tinnevely district.

<sup>2</sup> See BONTIUS's Account of the East Indies, pp. 107—118.

<sup>3</sup> See BLANE on the Diseases of Seamen, pp. 177—204.

<sup>4</sup> See MONTESQUIEU's Spirit of Laws, vol. i. book xiv. chap. 2.

this varying temperature, to a certain degree, may no doubt be traced those different shades of character by which nations are distinguished, though other peculiarities are, we believe, not less influential. It will not be disputed, with respect to the physical effects of inordinate heat for a great part of the year, that it must tend in some measure to diminish the race in those countries where it is experienced; so Mr. ELPHINSTONE, in his valuable account of *Kábul*<sup>1</sup> has observed, that while in *Hindústán* proper the natives are tall, well made, and of slow and deliberate speech, the inhabitants of the *Karnatik*, where the heat is much greater, are small, black, and remarkable for vehemence of action and volubility. The author above mentioned (MONTESQUIEU), in pursuance of his theory that the inhabitants of warm climates are, like old men, timorous,<sup>2</sup> and that the heat of a climate may be so excessive as to deprive the body of all vigour and strength, and also communicate its mal-influence to the mind, proceeds to say, that the natives of India are naturally a cowardly<sup>3</sup> race, and that even the children of Europeans born in the Indies lose the courage peculiar to their own climate. Now, with all due deference to the acknowledged talents of this distinguished author, I must say that he does not appear to have been aware that there is such a thing as a *moral* courage as well as a physical and animal, and on which no temperature of air has the smallest effect; I cannot allow the word *cowardly* to be in any degree applicable to the natives of *Hindústán*—nowhere on earth do men meet death with more resolution than in our Indian dominions—what name they deserve as soldiers, when well commanded, I leave to their European officers to say; and, above all, to the great captain of the day, who will do them the justice he does every man!

XENOPHON tells us (*Cyropædia, ad finem*), that the Asiatics in his days would not fight unless under Greek auxiliaries; and LIVY somewhere, if I recollect well, in speaking of the Macedonians, observes, that those in Egypt had degenerated so much from what they were in the time of ALEXANDER, that they would fall an easy prey to the Romans! But what does Lord KAIMS say on the same subject in his sketches on man? Why, that the heat of a climate has no power whatever in diminishing the courage of a people,—witness the Malays.<sup>4</sup>

<sup>1</sup> Account of *Kábul*, p. 248.

<sup>2</sup> MONTESQUIEU's *Spirit of Laws*, vol. i. book xiv. chap. 2.

<sup>3</sup> See the same, vol. i. book xiv. chap. 3.

<sup>4</sup> See FALCONER on Climate, p. 20.

A great deal has been written, and more said, on the supposed consequence of a hot climate on body as well as mind, and supineness, indolence, and languor, have been by some believed to be equally the effects with corporeal weakness; perhaps no man has treated this subject with more judgment and discrimination than CHATFIELD, in his admirable *Review of Hindústán*. "Tranquillity," says he, "has been represented as the chief object of desire in the torrid zone, and the evils of despotism to be less severe than the labour of being free; slavery, by the strength of custom, blends itself with human nature: the simplicity of absolute rule, its prompt justice, and imposing appearances, naturally recommend themselves to an ignorant and listless race; and, lo! public virtue disappears! It is not to be disputed that throughout the world despotic sway prevails most in warm climates; and to the influence of such climates, and to the effect of local prejudices, a considerable force may undoubtedly be ascribed; but to assert that an arbitrary government is absolutely necessary for the happiness of the nations of the East, seems a paradox beyond the power of solution by any effort of human ingenuity." The author continues to observe, "the fallacy of such opinions may easily be proved by the history of both the eastern and western world. The natives of *Phœnicia* and *Palmyra* rendered themselves conspicuous by their commerce and their attention to the liberal arts; the *Greeks* and *Arabians* shone equally in arts and arms. Where are now the heroes of *Sparta* and *Athens*? of the fields of *Marathon* and *Platœa*? If the men of those nations were inert, what is activity? The *Lazzaroni* of *Naples*, the fanatics of *Rome* and *Sicily*, are descended either from the Roman, the Goth, the Lombard, or the Norman: will it be alleged that the climate is changed and therefore more favourable to despotism; if so, where are the proofs? If the *climate*, then, be not allowed to have such an effect upon those political changes, it must be looked for in other causes; the nature of the soil has, indeed, a real influence upon activity, as men are either rich or poor, as their wants are few or many; the energies of their minds are called forth, and the improvement of their natural faculties promoted. But the true sources and regulations of the activity or indolence of individuals, as well as nations, are the social institutions of government and religion; and, as a proof of their agency, we have but to compare the state of the Romans under *Scipio* and *Tiberius*; or that of the Poles under *Sobieski* and *Stanislaus*; or that of the Greeks under *Aristides* and the *Porte*."<sup>1</sup>

<sup>1</sup> CHATFIELD'S *Historical Review of Hindústán*, pp. 224, 225, 226.

Dr. THOMSON, in his excellent and comprehensive *Elements of Materia Medica*, has advanced this notion, that the heat of a torrid region renders those who inhabit it irritable; yet, I would ask, where is there more patience or coolness of temperament evinced than in India? and in justification of this, let me here adduce what has been said by one of the ablest writers of this or any other country. "The sun, it would appear, which ripens the pine-apple and the tamarind, inspires, at the same time, a degree of *mildness* that can even assuage the rigours of despotic government; and such is the effect of a *gentle* and *pacific* disposition in the East, that no conquest, no irruption of barbarians terminates, as they did amongst the stubborn nations of Europe, by a total destruction of what the love of ease and pleasure had produced."<sup>1</sup>

Man, in his animal capacity, is unquestionably qualified to subsist in every climate; and, as has been eloquently said, "according to circumstances, can reign with the lion and tiger under the equatorial heats of the sun, or associate with the bear or rein-deer in the Polar regions!"<sup>2</sup> his versatile disposition fits him to assume the habits of either condition, or his talent for arts enables him to supply its defects. But the intermediate climes evidently appear most to favour his nature; and so it is, that it is in the temperate zone he has ever attained to the principal honours of his species; though it must, at the same time, be granted, that whatever may have been done to improve, or bring to perfection, the exertions of the human race in colder countries, it is in *India*, and in the regions of that hemisphere, which are visited by the vertical sun, that the arts<sup>3</sup> of manufacture,<sup>4</sup> and the practice of commerce, are of the greatest antiquity, and have also survived, with the smallest diminution, the ruins of time and the revolutions of empires!<sup>5</sup>

I have said that Dr. THOMSON considered the heat of the torrid zone as conducive to irritability; and that, on the other hand, FERGUSON dwells with complacency on the characterising mildness, gentleness, and pacific disposition of the Hindús; here are certainly differences not to be easily reconciled. On the young and delicate,

<sup>1</sup> FERGUSON'S History of Civil Society, pp. 185, 186.

<sup>2</sup> The ancients believed the Polar regions to be uninhabitable from the extreme cold which there prevails; (DIOG. LAERT. vii. 156). So MACROBIUS says, "Quia torpore ille glacialis, nec animali nec frugi vitam ministrat."

<sup>3</sup> See ROBERTSON'S Disquisition on Ancient India, p. 2.

<sup>4</sup> See BRUCE'S Travels, vol. i. p. 368. Also MONTESQUIEU on the Commerce of the Ancients, book xxi.

<sup>5</sup> See FERGUSON'S Civil Society, p. 105.

ROBERTSON<sup>1</sup> observes, a diminished temperature of the air has a remarkable effect in rendering them fretful, and frequently gloomy and desponding; and hence it is, that people living in high northern latitudes have commonly little quickness and vivacity of thought: and I think it is the venerable DE THOU, who mentions a peculiar effect that a low temperature of the air had on Henry III. of France,<sup>2</sup> who, though naturally of a pleasant temper and gay disposition, was uniformly remarked to become irascible, capricious, and even cruel, during the prevalence of cold weather. Such opposite sentiments, respecting matters we should suppose of every day occurrence, are, to say the least, strange; and, I should suppose, could only have arisen from a neglect in not using sufficiently definite terms. There can be no doubt that the effects of a warm climate (but still within the temperate zone), in latitudes, for instance, embracing Italy and Greece, must be to stimulate and excite without debilitating; hence we perceive the inhabitants of those regions, compared with their more northern neighbours, lively, hasty, acute, imaginative. But let us increase the heat and its duration by getting into the torrid zone, and we shall find ensue a characterising languor, exhaustion, and weakness, together with that *mildness* and *gentleness of manner*, which, as we have seen, FERGUSON believed to be consequent of the higher temperature of the air.

It has been remarked, that in hot countries both the mental and corporeal faculties of man reach their maturity sooner than in more temperate climes, whatever may and must be the bad effects of too long exposure to torrid heat: perhaps it may not be considered as out of place here to notice what happens to young men on first proceeding to the West Indies, according to Dr. MOSELEY.—“There,” he says, “they soon acquire an expansion of mind, ripening, as it were, in the sun, and becoming superior in intellect to what they would have been had they continued in Europe!”<sup>3</sup> He further remarks, that *idiotism* is totally unknown in these islands, and that *mania* is of very rare occurrence. In reference to India I will not go quite so far as the author just mentioned; but this I will aver, that both imbecility of mind and insanity are more rarely met with in Hindústán than in Britain, whether proceeding from the copious

<sup>1</sup> See ROBERTSON's *Natural History of the Atmosphere*, vol. ii. p. 247.

<sup>2</sup> He was elected King of Poland in 1573, and quitted this dignity three months after to succeed his brother Charles IX. on the French throne.

<sup>3</sup> See MOSELEY's *Treatise on the Climate and Diseases of the West Indies*, p. 114.

cuticular discharge, the almost constant and cheering sunshine, and great serenity of the air, or from whatever other cause, I shall not take it upon me to say. I have been informed, from unquestionable authority, that the Marquis of WELLESLEY, soon after his arrival at Calcutta, was particularly struck with the talent, discrimination, and comprehensive views often evinced in the records, memorials, and public papers, drawn up by young men employed in different military and civil departments, at a time of life from which far less matured opinions could have been expected in the mother country.

Allowing this effect from a tropical climate, and that it does animate and stimulate to early mental exertion, it becomes a question, whether it does not also ultimately occasion a more speedy decay? I am not altogether prepared to give a decided opinion on this point; one thing certain is, that those Europeans who do resolve on remaining for life in India, seldom attain to great age; and it might be reasonable to conceive, that the stimulus of heat, like any other exciting power, long continued, would enervate and debilitate the frame, whatever might be the consequence of exposure to it for a shorter period. A parallel drawn betwixt the East and West Indies, with respect to such matters, would not be, I presume, a fair one, as the climates are in many respects dissimilar. In the latter the temperature of the air is never known to reach that extreme degree which it often does in Hindústán,  $110^{\circ}$ ,  $115^{\circ}$ ,  $125^{\circ}$  in the shade. MOSELEY says, that "in Jamaica European animals degenerate, and that as they descend, in a few generations they retain but little resemblance of the original stock. How far (he continues) this extends to the human race, as relative to natural endowments, is a subject of nice inquiry: however, if inferiority be found at all, it does not appear in the first generation; on the contrary, if my observation be just, in people of this description there is equal capacity and stability of mind, with more *acumen*, than in those born in Europe. Whether this diminishes or not in further removes without European admixture, abstracted from the influence of habit and education, may admit of speculation; but let the change be how it may, or what it may, I have never observed any declension of the heart, nor in the tendency of the mind, that philosophy could possibly attribute to nature."<sup>1</sup>

The children of European parents in India being almost invariably sent to the mother country at an early period of life, it is impossible to say what might be the effect of their remaining in the hot climate

<sup>1</sup> See MOSELEY, p. 113.

till a more advanced age: the great change which has been resolved on with regard to our Asiatic dominions, in permitting colonisation to a certain extent, will give, in all probability, an opportunity of drawing more certain conclusions on this important subject; it being in contemplation, I understand, to establish seminaries, for the public instruction of youth, in several of the elevated and healthy stations of India, which have of late years been sufficiently appreciated, as well amongst the *Himalaya* mountains, as in *Mysore* and in the *Nilagiri* district. I should, however, for reasons above stated, with regard to the ardent heat often experienced in our Asiatic territories, be disposed to think that the result would be somewhat different from that which is found to take place, by MOSELEY's account, in the West Indies. As far as the age of four or five, I have remarked that the offspring of European parents in Hindústán thrive admirably; beyond that period they generally shoot up too rapidly, and become thin and pale, without acquiring that liveliness and energy which distinguish those of the same age in Europe. What might be gained by having children brought up in any of the *sanitariums* above mentioned, is another matter: the plan appears to me to be at once rational, altogether practicable, and what we would recommend to those who cannot afford the expense of education in England.

It is commonly understood that intermixture improves the animal species: it certainly does so as regards the inferior orders, and so it has been believed to do, with respect to the human race, in the temperate zone; but, with immediate reference to India, and the half-caste there, I am in great doubt if it holds good, and why it should not it might be difficult to say. Far be it from me to imply that there are not amongst that description of people many individuals manly in form, clear in understanding, honourable in heart, and sufficiently courageous; what I could wish to express is, that, generally speaking, they are an inferior race, possessing neither the vigorous frame of the European, nor the delicate, grave, unobtrusive, and contemplative mind of the Hindú. Some may allege that this is an exaggerated character of the intellect of our Indian fellow-creatures, the Hindús, and would sooner maintain that these Asiatics are, as far as regards the thinking principle, infinitely inferior to the inhabitants of more temperate regions; but this, no man who has been in India, and at all observant while there, will allow; for the natives, more especially the well-educated Bráhmans, are extremely acute, reason sagaciously, and are perhaps the quickest and best calculators in the world; and I am much disposed to believe that few adages are more just than this, and which is common in the Karnatik, "He must have his wits about him who

attempts to negotiate with a Mahratta." What the Hindús would become, if educated as they might and ought to be, and, it is hoped, now begin to be, by that country which professes to bestow on them a parental care, it is hard to say. Their assiduity is great; their zeal unremitting; their moral, or rather their religious courage, quite extraordinary. Where, but in India, shall we find men immolating themselves to prove the sincerity of their opinions, and their trust in their God? or women undauntedly stretching their delicate frames on the blazing pile of a beloved husband?<sup>1</sup> No where.

To recur to our more immediate object, I would observe, that though no one will deny that much must ever be ascribed to the mere influence of climate (and of this there is a great variety), consequent of many things unconnected with latitude (as shall afterwards be more fully noticed), yet it will at the same time be allowed, as before observed, that the physical as well as moral condition of our nature, are powerfully affected by various causes altogether independent of that great agent; such as food, state of civilisation, peculiar habits and pursuits, and, above all, government. "Why," says the eloquent VOLNEY, "in the same countries where so much courage was displayed in days of old, in *Media, Parthia, Persia*, in the land of the *Carduchi*, do we at present find such profound indolence? Will it be alleged that the climate has changed? Whence is it that we see under our own eyes, and in Europe itself, northern governments as languid as those of the south?"<sup>2</sup> Can we, I would ask, for a moment suppose, that the inhabitants of our island were the same energetic beings in mind and body, when first visited by the Romans (leading the precarious lives of hunters, and feeding chiefly on the thin scanty fruits of the earth), that they now are, enjoying all that true religion, advancement in the arts, sciences, and commerce, can bestow; and blessed with a government which makes men brave, because it makes them free? Certainly not. But there is a change, I shall say, a great melioration, that this peculiar country has undergone, and which depends on yet other causes than any of those enumerated—I mean a change arising from an *admixture* with the natives of the different regions, by whom Britain has on various occasions been subjugated. It is remarked, as already noticed, that intermixture improves the race; and so far Britain, generally speaking, may be said to have

<sup>1</sup> I find both STRABO and DIODORUS SICULUS mention the circumstance of the Indian women burning themselves with their husbands: the latter, who wrote about forty-four years before Christ, describes the awful ceremony nearly as it is now practised.—*Vide* DIOD. SIC. *Hist.* lib. xix.

<sup>2</sup> VOLNEY'S Travels, vol. ii. p. 465.

benefited. But let us take into consideration by what description of those foreign conquerors our provinces were overrun, and we shall conclude how greatly we gained by their aggressions. It was not by the puny and imbecile. No! it was by the hardy, the brave, and the enterprising; who had not only to cross a tempestuous ocean, but combat a fierce people immediately on landing: so that when we were subdued, it was by the *élite*—in other words, by the most energetic men of these territories from which the assailers came. And it is, in my humble opinion, owing to this very circumstance of commixture with the best parts of various nations, that we now possess those high qualities which distinguish our happy land; for taking it for granted that the ancient Britons were simply on a par with other, yet unconquered and neighbouring countries, what did they receive from the Romans? Why, they taught them to build, to plant, to sow, to reap, with care. What came with the Saxons? A love of freedom,<sup>1</sup> energy,<sup>2</sup> hospitality,<sup>3</sup> good morals,<sup>4</sup> shrewdness, and, if we may trust to what has been said by CÆSAR<sup>5</sup> and TACITUS, gallantry and veneration<sup>6</sup> for the fair sex.

If, as we have seen, unconnected with climate, that civilisation, an advanced state of the arts, and good government, can produce wholesome changes on the inhabitants of a country; so can kingdoms deteriorate from circumstances independent of the same agent. “The ancient Spaniards in the time of the Roman republic, and long after its downfal,” says ROBERTSON, “were celebrated for their bravery, and seem to have made considerable advancement in literary pursuits, nay, probably, also in the cultivation of every branch of science; even in the fifteenth century they continued to be, perhaps, the most sprightly and polite nation in Europe. At the present period, from causes altogether distinct from the temperature<sup>7</sup> of their climate, they have become grave and inactive in a remarkable degree.”

<sup>1</sup> In matters of small importance amongst the ancient Germans, the chief alone would often deliberate; but all great affairs were referred to the whole community.—TACIT. *De Morib. German.* cap. 10.

<sup>2</sup> TACITUS speaks in praise of the energy of the ancient Germans.—*Idem*, 37.

<sup>3</sup> No nation ever testified more liberality than the ancient Germans in their convivial entertainments.—*Idem*, lib. xxi.

<sup>4</sup> HERODOTUS informs us, that good morals had more influence amongst the ancient Germans than laws in other countries.—HEROD. v. 19.

<sup>5</sup> The ancient Germans held women in great estimation, and believed there was something almost sacred in their nature.—CÆSAR, *Bel. Gal.* lib. i. cap. 50.

<sup>6</sup> TACITUS mentions several German prophetesses who were held in the highest veneration.—*Hist.* iv. 61–65.

<sup>7</sup> See ROBERTSON's General View of the Natural History of the Atmosphere, vol. ii. pp. 253, 254.

Let us compare the Italians of these days, priest-ridden, unwarlike, and bending under a foreign yoke, with the Romans of old, "*dum Roma fuit*," and we shall see how much they differ; yet there is no reason to think that the climate of Italy has materially altered within the last eighteen hundred years, although, if we may judge by the writings of JUVENAL and VIRGIL, the first of whom was contemporary with TRAJAN (A.D. 120), the latter with AUGUSTUS, thirty years before Christ, it must be granted that the temperature of that country was in some degree colder in their days than it now is, in spite of the high state of cultivation in which it was maintained in the reign of the emperors; and do we not know, that the younger PLINY had a villa in *Tuscany* where neither olives, nor myrtles, nor any other plant which requires a warm climate, could be raised? Look at Greece, the birth-place of all that is ingenious, beautiful, and instructive; the very cradle of taste, refinement, and warlike enterprise—what do we now find in that once highly favoured land? The picture is so frightful that I will not draw it! Yet the same breezes now blow which fanned in days of yore the brow of Pericles; the same sun shines upon Olympus; the same dews fall, which refreshed and made lovely the vale of Tempè!

As far as regards simple climate, no one could for a moment doubt but that it may be improved to a certain extent in any part of the world, by means altogether within the reach of man's industry. For instance, by draining marshy lands, by cutting down or thinning woods, by extensive cultivation of the soil, and by the warmth which must be the certain consequence of populous towns, and numerous and thriving villages. STRABO informs us (Lib. v. cap. 12), that the *Pontine marshes* were in his days reckoned unhealthy; they are unhealthy still, in spite of what was done of old by AUGUSTUS, followed up by TRAJAN, resumed after a long lapse of time by the Popes BONIFACE VIII. and MARTIN V., who cut canals—a pious work, recommenced at a later period by SIXTUS QUINTUS in 1580. Some suppose that little mention is made of the unhealthiness of ancient Rome itself by the old writers; but this is a mistake, of which any one may be satisfied by looking into LIVY's History (Lib. VII.): and we know how HORACE expresses himself at the painful thoughts of returning to Rome from the country—

"Me constare mihi scis, et discedere tristem,  
Quandocunque trahunt invisa negotia Romam."

We have seen how climates may in some degree be improved by man's exertions; but so can they also be rendered worse by his neg-

lect, inactivity, or want of means. The great causes which alter the moral aspect of nations are very different, and are chiefly consequent on conquest, subjugation, commercial depression, or any other adverse pursuits; above all, the intrusion of ignorant and barbarous hordes, by which government, customs, manners, and religion, are all in time changed. But even when such great changes are in this way occasioned, it would appear that it is the form, or more properly speaking, the quality, rather than the degree of intellectual power that is thereby altered; for there is, as has been well remarked by FERGUSON, "a vigour, a reach, a sensibility of mind, which may characterise as well the savage as the citizen, the slave as well as the master; and the same vigour of mind may be turned to a variety of purposes. A modern Greek is, perhaps, mischievous, slavish, and cunning, from the same animated temperament that made his ancestors ardent, ingenious, and bold in the camp, or in the council of the nation. A modern Italian is distinguished by sensibility, taste, quickness, and art; while he employs on trifles the capacity of an ancient Roman, and exhibits now, in the search of a frivolous applause, that fire, and those passions, with which GRACCHUS burned in the forum, and shook the assemblies of a severer people."<sup>1</sup>

It might be supposed, that somewhat similar climates might be always found in similar latitudes; but this does not appear to hold good. In equal latitudes, the cold of the southern hemisphere has been considered as much greater than that of the northern,<sup>2</sup> in consequence, it may be presumed, of the greater extent of ocean south of the equator. If the climates vary in similar latitudes in different parts of the world, so are the productions different, animal as well as vegetable; witness those of *Van Diemen's Land* and *Spain*, or *Italy*. With respect to *America*, also, do we not find, that under the same parallel of latitude, with situations in Europe, the climates are very different. In the first-mentioned, extensive marshes, great lakes, aged, decayed, and crowded forests, with other peculiarities which mark an uncultivated country, are supposed (and justly, too) to replenish the air with heavy noxious vapours, that give a double asperity to the winter, and, by the frequency and continuance of fogs, snow and frost, carry the inconveniences of the frigid zone far into the temperate.<sup>3</sup>

<sup>1</sup> FERGUSON's *Civil Society*, pp. 182, 183.

<sup>2</sup> See WILSON on *Climate*, p. 248.

<sup>3</sup> See Professor SHOW's *Oration on the Effects of Climate on National Character*, delivered at Copenhagen in 1832.

Abbé RAYNAL,<sup>1</sup> under the influence, perhaps, of his occasionally over-excited imagination, assigns, as a reason for the difference of climate betwixt America and Europe in similar latitudes, the great waters at the flood having left the continent of the former country at a later period than that of Europe—a circumstance which must have had an effect on men as well as the brute creation; hence it is, that there are few of the latter of any kind, and that the human race in those vast regions have comparatively less strength, less courage, less beard, and, indeed, hair of any kind. In opposition to these somewhat poetic notions of the eloquent Frenchman, we find WILSON, in his *Observations on Climate*, above cited, stating<sup>2</sup> that the *aborigines* of America, from latitude 30° to 65°, are a bold, manly race, well made, and by no means deficient in mental qualities. As far as regards the simple temperature of the two continents of Europe and America, it will not be considered as irrelevant here, to notice what has been said on the subject by one who has paid great attention to *meteorology*: I mean Professor LESLIE. He is of opinion that there has been too much exaggeration with respect to the comparatively low temperature of the American continent, as consequent of such causes as I have above enumerated: he thinks it probable that the extremes of summer heat and winter cold, may probably differ in America, and in the old world;<sup>3</sup> but that the mere temperature on any parallel appears, when taken correctly,<sup>4</sup> to be nearly the same. It is well known, he adds, that the difference in degree of heat betwixt the winter and the summer months, increases in advancing from the equator to the poles.

As a further proof that similar climates are not to be always looked

<sup>1</sup> See his *Historical and Political History of the East and West Indies*, vol. vi. p. 264.

<sup>2</sup> See *Work*, p. 258.

<sup>3</sup> In a well-written paper on the Medical Topography of New Orleans, to be found in the twelfth volume of the *Edinburgh Medical Journal* for 1816, the author observes: "It is one of the anomalies of the new world, not yet very satisfactorily accounted for, that the intensity of the heat in summer, and the cold in winter, is much greater than in the old world on the same parallels of latitude. No doubt the extent of land in comparison with ocean cannot fail to make a change in climate in any part of the earth; for instance (as PROUT observes in his *Treatise on Chemistry, Meteorology, &c.* pp. 186, 187), 'if the Pacific or Atlantic Oceans were to be converted into continents, would not the climates of the existing continents be completely altered by such an addition to the land, and the whole of their fertile regions be reduced to arid deserts?'" But, after all, such suggestions are more ingenious than conclusive.

<sup>4</sup> See article *climate*, in the last edition of the *Encyclopædia Britannica*.

for under the same parallels of latitude, we may compare great part of *Tartary* with *Greece*, *Italy*, and *Spain*; so it is also, we perceive, that while the shores, not only of the Mediterranean but even those of the Atlantic, are favoured with a moderate change and vicissitude of seasons, the eastern parts of Europe, and the northern continents of Asia, are afflicted with all their extremes.

How far does the climate of the southern provinces of Hindústán correspond with that of those territories stretching betwixt the river Senegal and the Gold Coast, in Africa, in similar latitudes, and in which *Sierra Leone* is included? a question to which any well-informed man can readily reply: and certainly every gentleman of this society, who knows the pure and healthy, though hot air which distinguish the first-mentioned regions, and who must have read of the pestilential clime of the last, so destructive to thousands annually;<sup>1</sup>—differences no doubt originating in the nature of the countries, and arising chiefly, in these instances, from dry, cultivated, and open plains, in contrast with vast and almost impervious woods, marshes, and large, lazy, and muddy rivers. What climate did GERARD meet with in Kábul?<sup>2</sup> He says, a delightful one, and much colder than its latitude would have indicated ( $34^{\circ} 10'$  N. lat.,  $69^{\circ} 15'$  E. long.); the consequence, he believes, of the natural aridity of the atmosphere there, together with irrigation, and to the extensive range of high lands which lie at no great distance from it, towards the north-west. It would, I am inclined to think, be more difficult to account for the singular climate of *Bokhárá*; not so much for its high temperature in summer (that occasionally reaching to  $106^{\circ}$  in the streets), for it is in latitude  $39^{\circ}$ , but for its cold in winter, which is so considerable, that the river Oxus (*Jihon*), at no great distance from it, freezes to such a degree in winter,<sup>3</sup> as to bear the transit of *Káfilas*! extremes which are without example, I should presume, in any country in Europe.

It has oftener than once occurred to me whether or not there might not be a similarity of climate consequent, in a certain degree, on a similarity of formation of great continents, and their peculiar position with respect to the ocean, particularly if they are in nearly corresponding latitudes, north or south. Earl MUNSTER, in his in-

<sup>1</sup> For an account of the climate of the coast of Guinea, and other parts of Africa, we refer to Dr. JAMES JOHNSON's very valuable work on the Influence of Tropical Countries. In speaking of the climate of *Sierra Leone*, he says about a third part of the white population is carried off annually.—See Work, p. 338.

<sup>2</sup> See GERARD's Letters published in the *Journal of the Asiatic Society of Calcutta*.

<sup>3</sup> See same Letters.

teresting *Journal of a Route across India, and through Egypt to England*, in 1817,<sup>1</sup> notices the striking resemblance which exists betwixt the geographical structure of India and that of the South American continent.<sup>2</sup> "The vast chain of the Andes (he observes) on the west, being sixty miles from the Pacific ocean, to which it presents a *precipitous face*, and slopes by a gentle declivity towards the Atlantic, into which the *Amazon*, *Plata*, and other rivers, which have their sources near, run; in the same manner the great rivers of peninsular India, the *Godaveri*, *Kistnah*, *Káveri*, and other streams which fall into the Bay of Bengal, take their rise near the sea on the Malabar coast." Here is a singular topographical similitude, and first observed, I believe, by the distinguished individual just mentioned. It would, I confess, be desirable to ascertain what were the especial results of the corresponding formation of the South American and Indian continents, and how far they were productive of similitude in the animal or vegetable kingdoms of those regions; and, we must hope, that the comparison will ere long be made with the attention it deserves.

In reference to peculiar degrees of temperature, as influential in characterising climates of various kinds, I may here state, that the subject will be reverted to in another division of this paper: it may be necessary, however, here to observe, though it is a well known fact, that cool air may be produced as well by altitude as latitude, as is sufficiently experienced on various table lands in our Asiatic dominions—*The Mysore Country*—*The Nilagiri Hills*—and *The Himalaya Mountains*. The cause of reduced heat in the higher regions of the atmosphere, is ascribed by LESLIE to the enlarged capacity for heat which air requires by rarefaction; he has further said, that particular elevations may be nearly ascertained from an observation of the mean temperature. In the torrid zone, where so many suffer from long continued exposure to ardent heat, such temperate heights<sup>3</sup> cannot be too much prized, and often prove, when

<sup>1</sup> Page 320.

<sup>2</sup> See *Journal*, &c. p. 320.

<sup>3</sup> India would appear to have been especially favoured in this respect; in addition to these above-named table lands, we may here notice *Boaglekund*, lying east of *Bundlekund*, which, by Colonel IRONSIDE's account, is in its whole extent one continued table land. The province of Haiderábád is an elevated land enjoying a moderate temperature, although the capital of the same name is in latitude 17° 15' N. So is the *Balaghát*, or ceded districts, an elevated country, though not so high as Mysore. Also, the *Mahabuleswar* mountains in the presidency of Bombay, which are about 4,900 feet above the sea; and the *Sikkim Mountains* lying south of the Himalayas, and north of the Bengal district of Rungpúr, (the *sanitarium* of which elevated tracts is at *Dargiling*, about 330 miles from Calcutta, and a most healthy

resorted to, most beneficial to invalids : how far, however, such ought to be relied on in certain indispositions, becomes a question of importance and nice professional discrimination ; for it must ever be kept in mind, that those sites, while no doubt much cooler than the plains below, are, at the same time, oftener exposed to clouds of various descriptions and by no means in their nature innocuous.

The *Himalaya* mountains, which are the *Hindú Kush* of the Afghans and the *Nilagiri hills*, have been repeatedly described by gentlemen quite competent to the task — the last mentioned lately by Captain HARKNESS and Lieutenant JERVIS, and the former by Messrs. FORBES and ROYLE ; and I shall have occasion to advert to their peculiarities in various parts of these observations.

The altitude of most of the Alpine peaks of the *Himalaya* range have now been pretty nearly ascertained ; the highest of three, in the *Jawahir* district, is the *Nundidevi* of Bishop HEBER, and, according to Lieutenant HERBERT's survey, is supposed to be about 25,749 feet above the level of the sea : there is, however, another which is still more elevated, and is not far from the source of the *Künduk* river in Thibet. This, Mr. COLEROOKE thinks, may safely be pronounced to exceed 26,862 feet above the ocean, and to be, in fact, properly styled the *Mont Blanc* of the *Himalaya* ; it is called *Dhawala-giri*, or the *White Mountain*, and is, no doubt, as far as observation has yet gone, the most lofty that has been discovered on the surface of the globe, being nearly 5000 feet higher than *Chimborazo*, the most gigantic of the Andes.

What may be the actual climate of such stupendous Alps throughout the year at or near the summits no one can tell. Those of India, the *Himalaya* have been so termed in *Sanskrit* as being the *mansion of snow*.<sup>1</sup> The effects of highly attenuated air are known to be most distressing to some individuals independent altogether of cold, and we believe such GAY LUSSAC experienced them to be during his *ærostatic* voyage ; they were also felt by the enterprising GERARD<sup>2</sup> at an

spot) : lastly, I would mention the table land of *Davaroypatnum*, which is divided from the table land of Mysore by the *Mayar* river, and that on which *Simla* stands, a station lately established for invalids betwixt the Jumna and Sutledge, and 7500 above the ocean ; it is in latitude 31°,06, and long. 79°,09.

<sup>1</sup> See MOOR's *Hindú Pantheon*, page 151.

<sup>2</sup> GERARD speaks of *Rol*, in *Basehar*, which is at an elevation of 9350 feet, as being the highest *inhabited* land *without* the *Himalaya*, and where the wheat seldom ripens ; the inferior limit of perpetual snow is calculated by some at the elevation of 11,400 feet above the sea ; but by WEBB's observations made on the summit of the *Nillí Ghát*, where no snow remained at an elevation of 16,1814, we have a right

elevation of 15,000 feet, where, he says, he found his respiration laborious, and his exhaustion increasing at every step; nay, MOORCROFT, and, if I mistake not, others have noticed that even the lower animals feel inconvenience from highly rarefied air.<sup>1</sup> But the *Sanitariums* we have mentioned are in situations much less elevated than the vast heights above alluded to: at those retreats, the advantages derived from an agreeable temperature, suffer no drawback from an over-attenuated atmosphere: in like manner the climate of Bangalore,<sup>2</sup> in Mysore, which I can speak of from experience as being one of the best in the world, is not affected by this evil, the elevation of the garrison being, according to LAMBTON's measurement, not more than 3000 feet above the Malabar sea; neither is that of the now far-famed (and we believe justly) climate of the *Nilagiri hills*, where, although only twelve degrees from the equator, and surrounded by plains where the thermometer not rarely stands in the shade at 100°, yet, from its elevated situation, enjoying a mildness of climate not inferior to the temperate parts of Europe: neither, I repeat, does the climate of those lofty regions suffer any deterioration from a rarefied air; on the contrary, it would appear to be salubrious and invigorating in a wonderful degree; and being beyond the general zone of clouds and mists, the air is clear, and does not, at any season, become loaded with those exhalations which occasionally render the most western parts of the Mysore country unhealthy.<sup>3</sup>

Having particularly alluded to the *Nilagiri hills*, the climate of which is altogether an *anomaly* in tropical regions, I shall briefly here further state regarding them, that they (The Blue Mountains) form an elevated tract in southern India, and lie N.N.W. from the city of *Koimbatore*, towards the *Wynād*. *Wynād* being situated between the parallels of 11° and 12° of north latitude, and 76° and 77° of east longitude. They extend from east to west about thirty-six miles in length, and from north to south from 15° to twenty miles in breadth.

to conclude that the height of the snow line on the northern side of the Himalaya range, cannot be less than 17,000. See *British India*, vol. iii. p. 237: according to LESLIE's formula, the line of perpetual freezing is at 14,621 feet of elevation.

<sup>1</sup> Captain HODGSON tells us that even the natives themselves complain of faintness and difficulty of breathing at these extreme elevations, and ascribe them to exhalations from noxious plants.

<sup>2</sup> The mean temperature throughout the year at Bangalore, is 73°, 24 of Fahrenheit. The garrison lies in latitude 12° 57' N. in longitude 77° 38" E.

<sup>3</sup> For a cause, and a very interesting one, for the unhealthiness of the western tracts of Mysore, when compared with those lying farther east, I refer to an extract of a letter from my friend, the late Colonel LAMBTON.—See *Asiatic Journal* for Jan. 1825, p. 28.

According to Mr. W. Scot's<sup>1</sup> very able and scientific paper respecting those high lands, and which I could wish to see published, it would seem that he considers them as a part of the great chain of gháts which run along the western side of the peninsula, and may, properly speaking, be said to form a *crest* to that chain: they, he continues, thus constitute a single mountain or ridge, but from the surface being divided into, or studded with, numerous peaks or eminences, it is more usual to speak of the *Nilagiri hills* than *Nilagiri mountain*.

It was only a few years ago that these tracts first called for particular attention, owing to casual circumstances, but which I shall not stop to notice at present; they have since been examined with care by some very accurate observers, and their fine climate greatly eulogised.

The *Nilagiri hills* are surrounded by a belt of flat land, which is, however, at some parts of very considerable elevation, and through which various streams take their course. The mountainous tract itself while studded, as already observed, with ridges of different elevations, and which run parallel to each other, is distinguished by having in its centre a loftier chain running to the N.E. and S.W. On this central ridge are several conspicuous eminences; the highest of them is *Dodabetta*, which Mr. Hough<sup>2</sup> says is the apex of this mass of mountains, and the summit of which has, we are told, been ascertained to be 8700<sup>3</sup> feet above the level of the sea; but it having been also ascertained that the temperature of the *Nilagiris* is upon an average 30° lower than that of the coast, and reckoning at the usual rate of one degree for three hundred feet; *quere*, whether the altitude may not be 9000 feet? Mr. Scot, in his report, makes the height of this Alpine region different from either of these, viz. 8,429 feet, and its mean temperature throughout the year 56° 6". *Otakamund*, a sanitary depôt at which Mr. Hough<sup>4</sup> seems to have resided, is, according to Scot, 7197 feet above the ocean, and its mean temperature 60° 8'. So *Kotagheri* is 6407 feet above the sea, and its mean temperature 63° 4'; and *Dimhutti*, where a collector lived for some

<sup>1</sup> Of the Hon. Company's Madras Medical Service, and well known for his valuable professional research during a long residence in India.

<sup>2</sup> See Hough's Letters on the climate, inhabitants, productions, &c. of the *Nilagiris*, p. 18.

<sup>3</sup> Captain H. HARKNESS, in his well-written and interesting "*Description of a singular Aboriginal Race inhabiting the Summit of the Neilgherry Hills*," makes *Dodabetta* to be 8760 feet above the sea, and about 1300 feet higher than *Otakamund*. (See weather-table at the end of the volume.)

<sup>4</sup> See his Letters, p. 36.

time, is 6166 feet above the same level, and its mean temperature  $64^{\circ} 1''$ .

The gentleman just mentioned informs us, that from observations he made during twelve months' residence at *Otakamund*, he concluded that the greatest heat was in May, when the thermometer sometimes rose as high as  $69^{\circ}$  at noon, and that he has known it fall in a frosty morning in December as low as  $20^{\circ}$  *Fahrenheit*<sup>1</sup> before sunrise; but this last I should suppose was an extreme case;<sup>2</sup> what we may with safety say, however, is, that on those hills the mean temperature in April and May may be  $65^{\circ}$  in the first month, and  $64^{\circ}$  in the second, and that the minimum cold is a little below the freezing point, and the maximum heat  $59^{\circ}$  in the cold season. Other accounts, as in almost every thing else, vary, though Dr. YOUNG remarks, that the greatest cold has never been known to exceed  $28^{\circ}$ , or the greatest heat  $59^{\circ}$ , making a range of  $31^{\circ}$ . In equability of temperature, Mr. HOUGH observes, those elevated tracts are not surpassed by any country in the world; but here, if the account I got some years ago from Dr. CHRISTIE,<sup>3</sup> late of Columbo, in Ceylon, be correct, that gentleman labours under a misconception, for Dr. C. states, that at Columbo, the medium range for the twelve months is only betwixt  $74^{\circ}$  and  $85^{\circ}$ .<sup>4</sup> An equable climate, no doubt, contributes greatly to health, and hence it is that *Chittagong*, though in a much warmer clime than the *Nilagiris*, is considered so beneficial a retreat for invalids, and got from Sir WILLIAM JONES the appellation of the *Montpelier of India*, the extremes of temperature there being betwixt  $54^{\circ}$  and  $87^{\circ}$ ; it having, besides, the sea to the westward, which saves it from scorching land winds.

The *Nilagiris* are exposed to both the S.W. and N.E. monsoons; yet, from careful observation, it appears that less rain falls there throughout the year than on either coast. The air is, by every account, pure, elastic, and dry, in a remarkable degree, affording at once great comfort to the sick, who fly to it for relief, and peculiar

<sup>1</sup> See same, p. 37. Mr. HOUGH's thermometer was hung in the open air in the morning and evening, and at noon in a room, through which the air was allowed to circulate.

<sup>2</sup> By Mr. HOUGH's account, however, in one very cold year, 1825, and in Dec. that year, it was for three days together as low as  $19^{\circ}$ .—See *Letters*, p. 128.

<sup>3</sup> See *Asiatic Journal* for Jan. 1825, p. 33.

<sup>4</sup> The temperature of *Malacca* (in lat.  $2^{\circ} 12''$ ) is also extremely uniform, not varying more than 14 or 16 degrees during the whole year, the medium temperature is about  $80^{\circ}$ .—See *Official Papers on the Medical Statistics and Topography of Malacca*, by Dr. WARD and Mr. GRANT, p. 13, published at Penang.

energy and vivacity to those in health who visit the mountain range for curiosity or amusement.

One cause to which the great healthiness of those heights has been ascribed, is their freedom from jungle, the well-known pestiferous source of what has been termed the *jungle* or *hill* fever, in so many hilly and thickly wooded districts in India.

If we are to compare the respective climates of the *Himalaya* and the *Nilagiris*, we shall find, according to HOUGH, "that the temperature of the first, at an equal elevation, is neither so cold nor so equable as that of the latter, probably owing to the peninsular mountains being nearer to the sea."<sup>1</sup> Mr. MONTGOMERY MARTIN, in his *History of the British Colonies*, just published, expresses an opinion, that these alpine heights (*Nilagiris*,) resemble, in climate, that experienced in the higher parts of the greater intertropical cities of *America*,<sup>2</sup> and that, in their general features, they may be compared to the table-land of Spain on which Madrid<sup>3</sup> is situated. The same author also remarks, that the mean temperature of *Otakamund* is rather more than that of London, but that the annual range is very small, and the heat never sufficient to bring the more delicate fruits to perfection.<sup>4</sup> But for a far more philosophical opinion of the peculiar climate of the same elevated tracts, let us see what Mr. SCOT says (in his paper already mentioned) of a report by a literary friend.

"The meteorology of the *Neilgherry hills* forms the subject of an extremely interesting and able paper, which has been drawn up by Mr. DALMAHOY, from the materials in possession of the medical board of Madras, and from observations made by himself during a short residence amongst the hills. This gentleman states, in reference to those high lands, that it may be concluded, in respect to the smallness of the range of temperature and the greatness of the quantity of rain, that the climate of *Otakamund* is of an *intertropical* nature; but that as regards mean temperature, it is characterised by that of a place in the temperate zone, at the level of the sea, corresponding to 46° 39". In an inquiry into the causes of the diseases of hot latitudes, such a climate as that of *Otakamund*, in which the great intertropical features are disjoined, would offer a fair opportunity of instituting, though an imperfect, still perhaps a valuable, *experimentum crucis*, particularly respecting the pressure of the atmosphere, the temperature, the quantity of rain, and the general state of the weather."

<sup>1</sup> See HOUGH's Letters on the Climate, Inhabitants, Productions, &c. of the *Nilagiris*, p. 130.

<sup>2</sup> See MONTGOMERY MARTIN's History of the British Colonies, vol. i. p. 96.

<sup>3</sup> See same, p. 72.

<sup>4</sup> See same, p. 96.

Before descending from those alpine regions, where some may think I have too long detained them, I could wish to offer a few observations on their vegetable products, the human race by which they are inhabited, and the lower animals which there range. M. LESCHNAULT DE LA TOUR, *Naturaliste du Roi*, in a letter, dated Pondicherry, July 5th, 1819, gives us some interesting particulars respecting those mountains, where he tells us he found many plants agreeing with those of Europe, such as the *Vaccinium* (bilberry), *Rhododendrum-Fragaria* (strawberry), *Rubus* (bramble), *Anemone-Geranium* (crane's bill), *Plantago-Rosa Salix* (willow), &c.: other plants of greater value there cultivated, to use his own words, are, *le blé, l'orge, les lentilles, le pospel-froment, la cretelle, plusieurs espèces de milles, et les pois chiches*. Horticulture is now much attended to at several of the dépôts of the *Nilagiris*; it appears, however, to have been more successfully pursued at *Otakamund* than *Dimhutti*, owing to the greater heat of the last-mentioned station, and also from the circumstance of the first being more within the influence of the south-west monsoon.

No person seems to have been more active than the gentleman I have just named (LESCHNAULT) in botanical research, during the short stay he made in those elevated tracts, where, Mr. HOUGH informs us,<sup>1</sup> he collected upwards of 200 plants, the greater part of which were specimens not before known in India: such is the debt of gratitude we owe to that celebrated French naturalist!

The botany of that still higher range of mountains, the *Himalaya*, has, of late years, been considered as an object of no small importance; and we are all, or most of us, sufficiently well acquainted with the labours of a HARDWICKE, a TRAIL, a GERARD, a WEBB, and a MOORCROFT, &c. and must ever be thankful for the great scientific acumen and lucid arrangement which have been shewn by Dr. WALLICH, and subsequently by Mr. ROYLE. The latter, in his "*Illustrations of the Botany of the Himalayan Mountains*," by way of attaining a greater precision respecting the peculiarities of vegetation, as connected with the climate of successive elevations, proposes to divide the slope of the Himalaya into *three* several *belts*, and take separate notice of each. "The first," he says, "may be supposed to extend to between four and five thousand feet above the sea, as several tropical perennials reach to the latter, and snow does not usually fall below the former. The second belt may be conceived to

<sup>1</sup> See HOUGH's Letters on the Climate, Productions, Inhabitants, &c. of the *Nilagiris*, p. 118.

embrace the space between five and nine thousand feet of elevation, as the winter's snow is always melted from such heights before the accession of the rainy season, and the upper is nearly the limit to which the herbaceous plants of tropical genera extend. The third belt may be taken from this elevation, up to the highest limits from which snow melts away on the southern face of the Himalaya mountains. "The stations of *Simla*, *Mussún*, and *Londúr*," Mr. ROYLE remarks, "having been much resorted to for health, their climate and vegetation attentively observed, and offering an altitude of 7500 feet, will afford a good illustration of the central belt; in which, with a range of the thermometer of 53°—that is, from 27° to 80°—and with a mean temperature of about 55°, observed at this elevation in 30° north latitude, we could not expect the existence of any plants either belonging or allied to tropical genera; and seldom in fact do we meet with them, except in the rainy season, and in a moist, mild, and equable atmosphere."<sup>1</sup> It would also appear, that the *arboreous* vegetation of the second belt corresponds entirely with that of the temperate climes; such as the *rhododendron*,<sup>2</sup> *arboreum*, and species of *quercus*, *acer*, *ulmus*, and *caprinus*. There are also found other features distinguishing those climes, where man, according to DE CANDOLLE, attains the greatest perfection,<sup>3</sup>—a rich, thick sward, and numerous delicate annuals. With regard to wheat and barley, Captain GERARD, we know, met with the first at 10,000<sup>4</sup> feet of elevation, and Mr. ROYLE with the second at upwards of 8000.

Within the third belt, and on *Choor*, Mr. ROYLE tells us, that in May the only bushes he discovered were the juniper and currant; the thermometer then ranging betwixt 42° and 60°. The summit, or highest peak of this mountain, is 12,149 feet above the ocean. In reference to the same southern slope of the Himalaya, and within the limits of Mr. ROYLE's third belt, Captain GERARD informs us that he found the extreme height of cultivation to be 10,000 feet, the highest habitation 9000 feet, and that 11,000 feet may be reckoned the upper limit of forest, and 12,000 that of bushes. This is no doubt a prodigious height at which to find plants of any kind; yet so various are the operations of nature, connected with climate, that the same intelligent traveller just mentioned, hesitates not to remark,

<sup>1</sup> See *Illustrations of the Botany of the Himalaya Mountains*, Part i. p. 16.

<sup>2</sup> *Idem*, p. 17.

<sup>3</sup> *Idem*, p. 17.

<sup>4</sup> It would, however, appear that Captain WEBB found wheat at 12,000 of elevation.—See *Illustrations*, &c. p. 19.

that if vegetation did not extend still higher, Tartary would not be habitable!<sup>1</sup>

When we consider animal life in the elevated lands of tropical countries, we perceive that there the difference is as conspicuous as it is in the vegetable kingdom. The inhabitants of the *Nilagiris* are divided by Mr. HOUGH into four distinct classes, *Thodaws*, *Buddagurs*, and *Kothurs*. It would occupy too much time to give even a brief account of each of these; I shall, therefore, confine my description to the first, who being considered as the *aborigines*, will, I trust, be taken as the fairest test of the effects of *climate*, my chief object in these *Observations*.

The *Thodaws* of the *Nilagiris*, in Mr. HOUGH's opinion, are a very manly and noble race, their visages presenting all the features of the Roman countenance, finely and strongly marked; their tall and athletic figures at the same time correspond with the lineaments of the face, many of the men standing upwards of six feet high. Mr. SCOT in speaking of them says, they are erect, firm, and muscular; their hair short and curled; their complexions brown; their beards bushy, and so pleasing are they in aspect, that in a whole village it would be difficult to find one man who was not handsome. They are, besides, by every account, extremely cheerful, frank, playful, powerfully strong, and in their deportment altogether free from every thing like servility. The women, HOUGH observes, have handsome features, and their complexion is fairer than that of the men; their teeth are beautiful; their hair, of which they are proud, redundant; their feet small; and their children healthy and active. If these physical and moral qualities do not speak loudly in favour of the climate of this mountain range, I do not know what could. The inhabitants are, moreover, remarkable for attaining great age — another proof of its salubrity. There is, however, something further still to be mentioned, to which the pure temperament of this people may be in some degree ascribed, and the fact I consider as one of great importance: it is, that by Mr. SCOT's report it appears that neither *arrack* nor *toddy* are to be procured on these hills; in fact, that the natives are totally unacquainted with the manufacture of spirituous liquors. Where, then, could be found a more fit *sanatorium* for soldiers, who had become infirm through habitual inebriety, than some well-chosen station amongst those celebrated heights? And what more convincing argument, I would ask, could be brought forward in opposition to those who rail against *temperance societies*, than the singular fact we have just stated?

<sup>1</sup> See a paper by Mr. H. T. COLEBROOKE on the River Setlej.—*Royal Asiatic Society's Transactions*, vol. i. p. 357.

Under the head of zoology, as connected with the climate of the mountainous tracts of India, it may be remarked, that amongst the *Nilagiris* are found the wild hog, wolf, and jackal; also sheep and hares of various kinds. The wild dog there met with is a fine-looking animal, not unlike an English fox,<sup>1</sup> but about twice the size, and having a large, bushy, black tail; they are very ferocious, hunt in packs of eight or ten, and run down the elk with great ease. Eagles and vultures are not rarely seen, and a great variety of kites, some of which are very large; wood-cocks, wood-pigeons, plovers, snipes, partridges, swallows, larks, thrushes, blackbirds, and sparrows, are common: and Hough tells us, that the notes of the singing-birds are quite as melodious as those of the same species in Europe.

With respect to the *Himalaya* mountains, in reference to this branch of natural history, Mr. ROYLE observes,<sup>2</sup> that within the second belt the tiger and leopard occasionally prey. There the fox in size and colour approximates to the English variety; and there, too, the flying squirrel supplies the place of the flying fox, or bat, of the plains: he, moreover, remarks, that the porcupine of the hills does not seem to differ from that of the plains, and that the wild dog, like the wild hog, is found at every elevation. In speaking of the feathered tribe, he says, "what particularly indicates the temperate climate of this middle belt is, that while the eagle and vulture are, as elsewhere, in the mountains seen soaring aloft, it is here alone that the cuckoo is very common, in fact heard every where."

In the third belt, this intelligent traveller states, that the animal kingdom affords many of the same indications of the alpine nature of the country, as have been presented by the vegetable kingdom. The *moschus moschiferus*, or *Thibetan musk*, is found on the mountains in the vicinity of the snow. The *gypaetors barbatus* is also there found as in the Alps; and the raven frequently met with in the plains in winter, is here seen in May.

It would appear from what has been said by Mr. ROYLE, that there is a considerable difference of climate betwixt the *southern* and *northern* face of the *Himalaya* mountains; so that while on the latter Captain WEBB found cultivation extend to 11,500 feet of elevation, Captain GERARD could not find it beyond 1000 feet on the former; a variation, Mr. ROYLE, with much reason, ascribes to this cause, "that the elevation of the Indian snowy range is sufficient to prevent

<sup>1</sup> See Capt. SYKES's Account of the Wild Dog. — *Transactions of the Royal Asiatic Society*, vol. iii. p. 405.

<sup>2</sup> See ROYLE's Illustrations of the Botany of the Himalaya Mountains, Part i. p. 20.

the passage across of the cloudy masses which deluge the plains of northern India with rain, both in the cold and warm season; the atmosphere, therefore, on the northern face preserves unimpaired the dryness which is characteristic of the rarefied air of lofty situations; hence the little deposition of snow which takes place in winter, in proportion to the lowness of the temperature"—a fact, Mr. R. ingeniously adds, "tending to confirm Mr. DANIELL'S views respecting the superior energy of the solar rays in the higher regions of the air."<sup>1</sup>

Every one knows how cool air is obtained by passing into temperate latitudes; and it is as well known how the like advantage can be procured by reaching to a certain elevation in mountainous countries. But there are certain situations in Hindústán, where, owing to peculiar topographical position, the same great blessing may be enjoyed, and in no way depending on either latitude or altitude. Amidst the mountains stretching from north to south, in the Tinnivelly district of southern India, and in latitude 8° 56' N., is the valley of *Kúrtalum*, open towards the Coromandel coast; but so deep in its westerly direction, as to leave but a rather narrow strip of the high range betwixt it and the base of the Malabar coast: the consequence of this is, that in the months of June, July, and August, when the south-west monsoon prevails, while the chief burst of it falls in torrents on that narrow strip, there is only a delightful sprinkling of it extended in frequent light showers to this charming spot; a much-prized *retreat for invalids* from the Coromandel side during the period just mentioned, owing to its coolness,<sup>2</sup> and being in an extraordinary manner exempt from dampness, so that iron remains for a very long period without rusting. Exercise can be taken at any hour of the day out of doors; and what is commonly called catching cold, however often wet by the rain, is altogether unknown. But mark the converse to all this in other months of the year: in February, March, and April, when southerly winds blow, and the valley is unventilated in consequence of the mountains lying south of it, *Kúrtalum* becomes extremely unhealthy; the combined result of that particular position, and the great abundance of rank vegetation on all sides, arising from that part of the district partaking of both monsoons.

The means last to be noticed of procuring cool air in hot weather

<sup>1</sup> See ROYLE'S Illustrations of the Botany of the Himalaya Mountains, Part i. pp. 33-39.

<sup>2</sup> The difference of the thermometer betwixt *Palamcota*, on the Coromandel coast, in lat. 8° 35', and long. 79° 37', and *Kúrtalum*, is about 10° in the months of June, July, and August; i. e. while at the latter it is 75° at seven A.M., it is at the former 85°.

in India, strictly speaking, does not come within the proposed object of this paper, being altogether unconnected with climate—I mean that by evaporation, in having loosely woven *tatties* or mats prepared with the fragrant-smelling roots of the *andropogon muricatum*, kept wet, so that the land-wind on blowing through them is rendered singularly cool and refreshing. The plant from which the root is obtained is the *vittie* of the *Tamils*; the *Kuru* of the *Telligús*; the *viratara* of the *Bráhmans*; and the *خس خس*, *khas khas* of the Persians. Its common Bengáli appellation is *bená*.

We have seen that in similar latitudes similar climates are not always found; but even when they do correspond to a certain extent, it has been remarked that they are not always productive of exactly similar results. “The genius of political wisdom and civil arts,” as FERGUSON has somewhat strangely expressed it, “appears, unconnected with either, to have chosen his seats in particular tracts of the earth, and selected his favorites in particular races of men.”<sup>1</sup> It cannot be denied, however, as already observed, that the temperate climates, as they are called, in which are placed our *native land*, *France*, *Spain*, *Italy*, and *Greece*, do favour most the nature of man; and that the extremes of either heat or cold are equally unpropitious to his active genius; and by presenting alike great difficulties to be overcome, or strong inducements to indolence and sloth, equally prevent the first indications of ingenuity, or limit their progress. So, according to FERGUSON, “under the same extremes, the range of the human soul, in a moral point of view, appears to be bounded, and men are of inferior importance, either as friends or enemies; they being, in the frigid zone, dull and slow, moderate in their desires, regular and pacific in their manners; while, under the line, they are comparatively feverish in their passions, weaker<sup>2</sup> in their judgments, and addicted, by temperament, to animal pleasure.” That they are weaker in their judgments, however high the authority which declares it, I cannot admit, though those judgments may not be always turned to objects of mighty import; nor do I believe that the distinguished author in this instance had any particular personal experience to guide him. To all such general views on a subject, perhaps hitherto too little investigated, there must ever be exceptions; and while it is allowed, that in many other of the great operations of nature, there is yet, alas! much not understood; so the perplexities connected with climate, the physical changes amongst men, and on the face of the globe which he inhabits, are by no means the least obscure. Some

<sup>1</sup> FERGUSON'S Civil Society, p. 181.

<sup>2</sup> *Idem*, p. 168.

writers have gone so far as to question, whether as we see, independent altogether of latitude, elevation, nature of the soil, condition of the countries with respect to religion and government, woods, marshes, lakes, and rivers; whether, I repeat, as are often found, independent of all these, the most striking differences in figure, countenance, colour, disposition, and capability of intellectual improvement, we might not venture to conjecture, with the Greeks and Romans of old, that the Almighty, in peopling the earth, had destined that there should be a diversity of human beings, as well as of other animals, and that each country had allotted to it an indigenous stock of inhabitants? This point has of late led to a good deal of discussion, and has been very ably treated by Dr. J. C. PRICHARD<sup>1</sup> in his *Researches into the Physical History of Mankind*. It would lead me wide from my immediate object, were I to enter at large on such matters. This I must now declare, however, notwithstanding the discrepancies to be reconciled, that we ought without hesitation to acquiesce in the opinion, supported by the highest of all authority, that mankind are the offspring of common parents. And we know that the great LINNÆUS (and who has brought a more intelligent mind to bear on the subject?) maintained, that in every species of plants, as well as of animals, only one pair was originally produced: “*Unum individuum ex hermaphroditis et unicum par reliquorum viventium fuisse primitus creatum, sana ratio videtur clarissimè ostendere.*”

The exact cause or causes of the difference of colour in the human race, have not been considered as the least difficult to explain of all those above alluded to. We shall not say what degree of credit is to be given to BUFFON in such inquiries; but we find him thus expressing himself: “It is evident that the colour depends principally upon the climate, and that, on the other hand, *peculiarity of feature* is consequent more of the customs prevalent amongst different nations.” And there is no question but that nations are found to be gradually darker in complexion the nearer we get to the equator; for instance, an Italian is almost invariably of a deeper hue than a Dane or Swede; but it appears to me that a distinction ought to be made betwixt the brown shade produced by tanning from the sun, and that jet black distinguishing the Ethiopians, who have the *rete mucosum* quite black: and it is a well-established fact amongst anatomists, that this second lamina of the skin, while it is white, brown, or yellowish in the European, is black in the negro.<sup>2</sup> In opposition to all

<sup>1</sup> See PRICHARD'S *Researches into the Physical History of Mankind*, Introduction, p. 2.

<sup>2</sup> See HOOPER'S *Lexicon Medicum*, article Skin.

this, it has been advanced by Dr. ROBERTSON, that men of a foreign race acquire the colour and general appearances in the course of a few generations, and become almost in every respect similar to the aborigines of the country into which they are transplanted ;<sup>1</sup> and it has been remarked by PRICHARD,<sup>2</sup> that the descendants of the Portuguese who first settled in Africa, on the *Senegal*, are now become as dark as the negroes ; and that the Saracens, Moors, and Arabians, who first occupied the west coast of Africa, from being originally white, tawny, or yellow, are now quite black. ROBERTSON thinks that the Jews every where, and certain religious castes amongst the Muhammedans, are seemingly exceptions to this observation ; but to verify an old Roman adage, "*Quot homines tot sententiæ*," let us see what a very opposite opinion has been advanced by PITTA in his work on climate, who says, in speaking of the Jews, " Descended from one stock, prohibited by their most sacred institutions from intermarrying with other nations, and yet dispersed into every country in the globe, this people is marked with the colour of all — fair in Britain and Germany ; olive in Syria ; brown in France and in Turkey ; swarthy in Portugal ; and tawny, or copper-coloured, in Arabia and Egypt.<sup>3</sup> This assumption, however, I conceive to be somewhat too forcible ; at all events, of one thing I am sure, that the Ethiopian in England never changes his hue, and that both the *Pársis* in the northern and western tracts of India, and the *Musalmáns* of the Peninsula, are, generally speaking, a much fairer race than the Hindús in the same tracts ; and that in their appearance and manners they are as opposite as day and night : yet we know how remote the periods at which both left the lands of their forefathers—the first to escape from the doctrines of Muhammad, the last to extend their dominion, armed alike with the Korán and the sword.<sup>4</sup>

<sup>1</sup> See ROBERTSON'S *Natural History of the Atmosphere*, vol. ii. p. 243.

<sup>2</sup> *Idem*, vol. ii. p. 243.

<sup>3</sup> See PITTA on the Influence of Climate, p. 17.

<sup>4</sup> Since finishing this part of the *Observations on Atmospheric Influence*, &c., I have seen in the *Asiatic Journal* for June 1834, p. 104, " Some Account of the Colonies of New South Wales and Van Diemen's Land, by Mr. JOHN HENDERSON," in which are expressed opinions regarding the colour of the inhabitants, which appear to me singular, and are certainly at variance with those generally entertained on the same subject. He observes, " It has already been mentioned, that the country-born offspring of Europeans evince a tendency to a fairer colour of skin, eyes, and hair, than that possessed by their respective parents. Now, we can observe no such corresponding tendency to a fairer colour amongst the aborigines, but rather the reverse. These are all of a dark colour, which is rather found to be increased by the cold produced by a higher latitude. The inhabitants of Van Die-

Having now stated all that occurs to me as necessary to be said in the first part of the *Observations on Atmospheric Influence, &c.* I shall conclude ; but it is what I cannot do without apologising for having so long occupied the attention of the Society, and offering my best thanks for the kind indulgence.

men's Land, which is in latitude 42° south of the line, are darker than those of Port Jackson, which is about 36°, and considerably more so than those in the interior of New South Wales." By this it would seem, that cold in these regions so far from conducing to make the colour of the natives lighter, has just the opposite effect.

END OF PART I.

ART. III. — *An Account of the Batta Race in Sumatra*, by Captain  
JAMES LOW, C.M.R.A.S. &c. &c.

*Read 18th May, 1833.*

THE following description of the appearance and customs of the Battas in the island of Pulo Percha, or Sumatra, has been drawn from authentic sources,<sup>1</sup> and may perhaps prove acceptable to the Society.

The features of the Batta tribes are particularized by an uncommonly straight mouth. They are not very regular, but their expression is rather pleasing than otherwise. This last may gain too in the contrast it presents to the idea previously formed in the mind of an observer, of a savage—a devourer of his own species.

Their dress has been well and justly described by MARSDEN.<sup>2</sup> Those chiefs who can afford it wear very fine blue turbans or daytas, and sashes of silk called chendei, while the common people rest contented with nature's rawest manufacture, a wisp of straw or a piece of the bark of a tree. They manufacture, however, a coarse kind of cotton cloth in some districts; and in the country of Ankohto, to the southward of Tappanuly, considerable ingenuity is shewn, and taste displayed, in the dying of the thread of various colours, and in wearing it. The lower edge of the cloth is ornamented with a Vandyke fringe of variegated beads. The thanipal sirih, or betel pouch, is prettily worked with straw, and curiously ornamented with beads. It is shut by a cover lapping over like that of a pocket-book, and to the extremity of this is suspended a string of beads of various sizes and colours ending in a small bell. Their tobacco-pipe is a brass tube about three feet long, curiously engraved, and having an ornamented brass bowl and stopper connected by a small chain. The chiefs wear bracelets of kemú shells, or of assú,<sup>3</sup> around their arms above the elbow, and ear-rings or ear-drops made of a debased gold. The more than semi-barbarity of the Battas displays itself in the little attention they pay to the women. The dress of the latter, when poor, consists of only a coarse cloth tied or drawn tight round the body under the arms, and not reaching below the knees. The richer classes of females wear vests made of Ankohto cloth. A kampong or village generally contains from one thousand to two thousand inhabitants of all ages.

<sup>1</sup> Reports by Mr. PRINCE of the late Bencoolen Civil Service, by the late Major CANNING, as obtained from residents in Sumatra, and by various travellers, none of which, it is believed, have ever been published. These accounts have been lopped where too redundant, and compressed as much as possible.

<sup>2</sup> History of Sumatra.

<sup>3</sup> The seed of a shrub or tree.

The houses of the interior are substantially built of plank, and the walls are often curiously ornamented with carved work and inlaid with íjú (anau, or *borassus gomutus* of MARSDEN) in its raw state. These houses, which are all erected on piles, are sometimes found to be one hundred feet long without any divisions. In one of these will often be found not only a single family, but as many persons connected with it as can agree to live together, and for whom there may be sufficient room. The entrance is in the centre from underneath, and by a ladder which is drawn up at night. The four walls of the house are furnished with large windows. The buildings or houses of the Battas who live near the sea are miserably constructed. A Batta village is generally very dirty, and, in rainy weather, more resembles a buffalo pen than human habitations. Underneath each house may be found the hogs and cattle of its owner, and the filth thereby created is rarely removed. Each *kampong*, during time of war, is enclosed by a parapet of earth about four feet high, and is further defended beyond this by two or even three strong fences of split camphor-trees, the tops of which are on a level with the windows of the houses within. Platforms are raised inside of these works, from which the people fire when besieged. Beyond all is a strong abbatis of thorny shrubs, amongst and beyond which are stuck numbers of ranjows or *chevaux de frize*. The approach to this stockade is narrow, and on each side is a platform flanked by thorny shrubs, to protect those who guard it. The gate is strong, and it is closed when required by timbers wedged against it.

The chief occupation of every member of a family is agriculture. The low grounds are ploughed for cultivation, but the high grounds are simply cleared of their wood. The rice cultivation is doubtless the most important. They raise besides tobacco for their own consumption. It is of an inferior quality, and is smoked in its green state. Sometimes it is prepared by shredding it, as is the practice in Java. The women are the weavers of cloth.

The benzoin- and camphor- trees constitute part of the wealth of those tribes, which either cultivate them or search for them in the forest.

The seeds of the benzoin-tree are nearly round<sup>1</sup> and about the size of a nutmeg. They are generally planted in a regular manner, in ground cleared for the purpose. Occasionally, however, the seeds are sown promiscuously, and in this case the produce is of an inferior quality. The tree, if planted in a congenial soil, is expected to attain to maturity in four or five years. All benzoin-trees yield the gum,

<sup>1</sup> Mr. PRINCE's account, sent to Captain CANNING.

but the quality mainly depends on the care taken of the plant in its infancy. During the early periods of its growth, it requires as much attention as the pepper or coffee-plant does. If neglected, the produce will not repay the expense of collecting it.

Incisions are made in the bark after the fourth year, and after a lapse of ten days the gum exudes gradually. It is not removed until about three months afterwards, when other incisions are made. This process is often carried on at similar intervals of time for four successive periods, after which the tree becomes exhausted and generally dies. The gum always decreases in quantity and quality after each incision. The average produce of a tree, on the first collection of gum, is about 1½ lbs. weight.<sup>1</sup>

This tree is found to thrive best when planted beyond the influence of the sea-breeze. It is, therefore, cultivated at the foot of the first range of hills, and a rich black soil is preferred for it. It is the produce of the first harvest only which suits the European market. This, which is called pahrong by the natives, and "head" by Europeans, is nearly white, and quite free from particles of bark. The other sorts are all mixed, and sold in India under the terms "India-head and belly." The tree rises to the height of seventy or eighty feet.

The camphor-tree grows spontaneously in the forests, and is to be found in abundance from the back of Ayer Bongey to as far north as Bakongon, a distance of 250 miles. It affects the sea-coast, and is therefore found to be scarce on the eastward of the range of hills. It may be classed amongst the tallest and largest trees which adorn this magnificent island. Seven feet in diameter is for it by no means uncommon. Before it attains to such dimensions its age is conjectured to be at least sixty years,<sup>2</sup> but it produces camphor at a much earlier stage of its growth, even when it does not exceed two feet in diameter.

It is believed, that the tree which yields camphor-oil and that which produces camphor are one and the same; and that were the oil not drained from a tree, it would produce the concrete camphor, which is the last stage of the juice. The natives have no certain means for

<sup>1</sup> Good benzoin is valued in the Eastern market at about half a dollar per catty, or 1½ lbs.; so that the produce from one acre, reckoning that forty trees have been planted on it, may average about fifty Spanish dollars for the four harvests—a sum inadequate to pay the expenses of cultivation (where wages are given) and insure any rent.

<sup>2</sup> The rapidity with which forest-trees under the tropics attain to maturity is great; but this acceleration, so unknown in cold latitudes, is attended with this defect—most of the largest trees are hollow, and when wounded deeply, a thick watery liquid pours itself out, which often resembles blood in colour.

ascertaining the trees which contain this crystallized camphor. But if the foregoing remarks be correct, it ought to be found in the old trees. Both products are found occupying cavities in the heart of the tree. Sometimes these cavities are merely filled with pith. The cavities rarely exceed one foot and a half in length, and they are found at uncertain distances within the trunk of the tree. To extract the oil, a deep incision with a small axe is made in the trunk, at about fourteen or eighteen feet from the ground. When this incision has nearly reached the heart, a small aperture is made, and the oil, should there be any, instantly gushes out, and is collected in vessels made from the bambús.

The camphor is procured from the tree at nearly the same height from the ground as the oil is; but before the searcher finds a tree yielding camphor, he will frequently wound hundreds. When successful, he cuts up the trunk into logs, which having split, the camphor is extracted from the centre. The produce of the middle-sized trees averages about eight China catties, or nearly eleven pounds; and of those of full growth double that quantity.

The trees which may have been wounded and left standing often produce an inferior kind of camphor within a period of eight years afterwards.

The pure camphor is termed *se-tontong*; the impure, *ugar*.<sup>1</sup> The Battas manufacture their gunpowder, the country yielding sulphur and saltpetre in abundance; but the gunpowder is coarse.

Like most primitive people, the Battas have a knowledge of the efficacy of many shrubs, herbs, and roots, in curing diseases and wounds; and they are very expert in the selection and administering of poisons, from those of the most deadly nature, to others not violent at first, but of equally destructive effect in the end. The victim of revenge soon becomes sensible of his situation, the more intolerably painful, since he continues to drag out his miserable life to the hourly gratification of his implacable but concealed enemy. *Soorn*, a Chinese medicine or drug, is the only supposed antidote to these poisons; but it is very scarce and high-priced.<sup>2</sup>

<sup>1</sup> "This account agrees with that given in MARSDEN'S *Sumatra*, 3d edition, p. 149, but differs in many particulars from the description of the camphor-tree and its produce in the 2d edit. p. 120. Mr. PRINCE assures me that every information he has been able to collect confirms the accuracy of the present statement."—*Note by Captain CANNING*.

<sup>2</sup> Major CANNING doubted the existence of these *slow* poisons, without assigning a reason. It is, however, very easy to suppose that the effects attributed to them may be merely those which would follow the shock given to the constitution by the action of any poisonous drug on the coats of the stomach. And as superstition and fear are found to produce most melancholy effects on the minds of the

The Battas, with whom the people of the Company's settlement to the northward<sup>1</sup> have communication, are a faithless, litigious, vindictive, and obstinate race, and without a single virtue.<sup>2</sup> A dispute about something not worth ten dollars is often sufficient to set two kampongs, or two districts, at war with each other; although, in such a case, it is more the determination of each party not to yield the point of honour, than the value of the object to be gained, which urges them to decide it by arms. A war so begun will be carried on for years, unless some neutral tribe interferes to mediate a peace. The Battas can only be kept to their engagements by fear of punishment. Before a war fairly breaks out, a cunning chief will frequently contrive to be bribed by all parties, carefully concealing his personal bias until a fit opportunity occurs.

The Battas carry their revenge to such a height, that they eat their prisoners of war when much exasperated, either by an attempt made to burn a kampung, or on account of the importance attached by them to the point disputed. Foiled in an open attempt to destroy their enemies, they try poison. Their independence, or rather obstinacy, is displayed by the *kúlís* of their tribes, who may have been hired to labour in the Company's territory. These will only work when it pleases them; so that the unloading of a cargo of salt, or other merchandise, with despatch, depends entirely on their good humour; and if an example be made by punishing those who stop work, the remainder instantly escape to the interior, and their employer has no recourse against them.<sup>3</sup> The *Rájás* have no authority to coerce them; and the employer can only indemnify himself by cutting their wages,

natives of the East, we may attribute many of the effects above alluded to to the workings of the imagination. The drug soon is termed by the Chinese *song*; also *nyeen sen*, or *nyeen song*. The sum of 100 Sp. dollars has been paid for a stick of it only four inches long. It is monopolised in China by the highest classes. Its virtues, like many other medicinal drugs highly prized in China, are, no doubt, chiefly imaginary. It is directed to be cut with a brass knife. A Chinese acquaints me that it grows in the upper provinces of China, affecting a cold climate. The Chinese consider it a universal specific, and highly restorative. It is known to the Malays under the term *sooh*, and to the Siamese by that of *sóm*.

<sup>1</sup> This was before Bencoolen was given up.

<sup>2</sup> This appears to be a very hasty assertion of Capt. CANNING, from information given to him. By his own shewing, the Battas have attained to a stage of social existence which could not long endure unless its fabric was propped by some sturdy if not refined virtues. The frequency, or even the barbarity of their wars, afford unfortunately no proofs either of unmitigated barbarism, or unredeemed vices and errors.

<sup>3</sup> It is pretty much the same all the world over; and it is probable that arbitrary

all which, as they have gained their point, they resign without grumbling. They then take their revenge by refusing to work on any future occasion.<sup>1</sup>

The authority of a Batta chief is hereditary, descending to his son or brother; but neither can maintain it if deficient in ability to sway the minds of the people. The right of a chief to the country he rules is rarely disputed; but if he be not prompt to resent insult to his tribe—to take advantage of an enemy's weakness, and of the credulity of his own people—if he be not endowed with fluency of speech, and be not fertile in argument, and if he cannot exhibit bravery in war and recklessness in rapine, he will have but few adherents. The latter require from him protection in their agricultural pursuits during peaceful times, and that he should lead them to victory in war. Every village has its magazine of matchlocks; and as they are well supplied with powder and ball of their own manufacturing, they, by frequently practising at a mark, become expert marksmen.

Should the chief and his adherents at any time unanimously resolve on war in the presence of the assembled people—their public discussions requiring this publicity—then presents and despatches are sent off to other chiefs to gain their aid, or to insure their neutrality. These chiefs having sent replies, each collects his people, and having feasted them with buffalo-flesh, the cause of the war is loudly proclaimed, accompanied by the music or noise of drums, gongs, and fifes, and by ceremonies deprecative of the wrath of evil spirits. Every member of the confederacy next binds himself by oath to be true to it; and this oath he confirms by tasting the buffalo-flesh. Finally, the declaration of war is publicly announced to the enemy in the following manner:—

A wooden representation of a human countenance, from which are suspended a bambú, and a placard of the cause of the war, is fixed on a post, and set on the road leading to the enemy's kampong. A matchlock is then fired to draw the attention of the latter to the spot, which in the mean time the party which set up the post have quitted.<sup>2</sup>

After this declaration of war, each party sends out detachments to punishments aggravated the evils complained of. Their good humour had better have been consulted instead of resorting to compulsion, where the right to compel does not seem to have existed.

<sup>1</sup> By proper management, their obstinacy was subsequently overcome.

<sup>2</sup> Is not this a virtue (*vide* p. 47), not to attack a defenceless enemy treacherously? Would an American savage act so magnanimously?

harass the other—to seize on stragglers, and shoot the husbandman while at work in his field; for it is not the object of the parties to bring on a pitched battle, but to destroy by stratagem.

Daybreak is generally preferred for an attack on a town or village; indeed, this time appears to be always chosen from some superstitious motive.<sup>1</sup>

In addition (observes Capt. CANNING) to these circumstances communicated to me by Mr. PRINCE, he has also given me information regarding the Battà practice of eating prisoners taken by them in war—a fact which was long doubted. While Mr. P. resided at Tappanully, and in the heart of the Battà country, he made most minute inquiries on this subject, all of which, he observes, tended not only fully to corroborate the existence of the practice, but to prove that it is much more frequent than is generally supposed, while the details are more revolting than Mr. MARSDEN has described them to be. Mr. PRINCE put the following questions to a native Battà chief—one selected indiscriminately from amongst an assembly of chiefs collected on some particular occasion, at the house of the officiating resident of Tappanully. The replies to these questions are also given:

*Question.*—I understand that the custom of eating prisoners taken in war, and malefactors convicted of certain crimes, is prevalent in the Battà country: were you ever personally present at such a repast?

*Answer.*—The custom is prevalent throughout the Battà country, and I have witnessed it on more than one occasion.

*Question.*—Describe what takes place on such an occasion.

*Answer.*—Three posts are fixed in the ground: to the middle one the body of the prisoner or criminal is fastened; his arms and legs are extended to the two others [the narrator and other chiefs present here simultaneously made the figure of a St. Andrew's cross with their arms and legs]; and, on a signal being given, those persons entitled to share in the feast rush on him—some with hatchets and knives, others with their nails and teeth, and thus cut and tear him to pieces in a few minutes. And I have seen some so keen and greedy, that they have during this repast wounded each other's hands. A mixture of lime-juice and salt and chilli, prepared in the shell of a cocoa-nut, is always at hand on such occasions; and in this many dip the flesh before eating it. When the flesh is consumed the bones are divided; and many continue gnawing at these until not a particle of flesh remains on them.

<sup>1</sup> A mutual understanding of convenience, or originally of humanity even, would seem best to account for this *virtue* in war.

*Question.*—Then, the prisoners are not first put to death, but devoured piecemeal?

*Answer.*—The first wounds he receives are from the hatchets, knives, and teeth<sup>1</sup> of the assailants; but these are so numerous, that they cause almost immediate death.

During this conference, Mr. PRINCE observes, it was remarkable that, more than once, when this chief proceeded to reply to my questions, the others at the same instant joined in assent to what he had said; so that we can scarcely doubt that such horrid scenes were quite familiar to them all.

*Province Wellesley, Prince of Wales' Island,  
August 1, 1832.*

JAMES LOW,  
C.M.R.A.S.

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<sup>1</sup> It is not very probable that any one would use his teeth or nails while hatchets and knives were flourishing about the victim.

**ART. IV.—***A Memoir of the Primitive Church of Malayála, or of the Syrian Christians of the Apostle THOMAS, from its first rise to the present time, by Captain CHARLES SWANSTON, of the Honourable East India Company's Military Service on the Madras Establishment.—Communicated by the Madras Literary Society and Auxiliary Royal Asiatic Society.*

(Continued from Vol. I. page 192.)

#### CHAPTER THE FOURTH.

**FROM THE EXPULSION OF THE JESUITS, A.D. 1665, TO THE FOUNDATION OF THE COLLEGE OF KOTTAYAM AND THE ESTABLISHMENT OF THE BRITISH MISSIONARIES WITH THE CHURCH, A.D. 1815.**

AFTER the suppression of the Jesuits, the followers of ALEXANDER, who had assumed the designation of Syro-Roman Catholics, or old Christians, did not continue many years a united church. ALEXANDER died A.D. 1676, and was succeeded by a Portuguese priest, Don DIEGO DE ANNUNCIACIO, who was nominated by the King of Portugal, Don PEDRO the Second, archbishop of Kranganór.

Don DIEGO, being unable to repair immediately to his diocese, sent a commission to Malabar, appointing the Archdeacon MATHEW, of Korrovolanghát, to rule over the people and to manage the affairs of the archbishopric. This selection of the archbishop was not approved of by the majority of the clergy or people, who refused to acknowledge MATHEW as their prelate. The archdeacon had recourse to the thunders of the church to compel them to obedience; and the schismatic party, to escape from the effects of the much-dreaded curse of the church, and perhaps from the more awful and horrid cruelties of the inquisition of Goa, separated themselves from their brethren, and proffered their allegiance to the Carmelite friars of Virápoly, the secret instigators of the rebellion.

In the year 1703, Don JOHN REBEIRO was consecrated archbishop of Kranganór by the pope, INOCENTIUS the Twelfth. At his death, A.D. 1715, the seed of discord was again sown amongst this unhappy people. They split into factions, and finally were divided under three ecclesiastical jurisdictions — the archbishopric of Kranganór, the bishopric of Cochin and Quilon, and the vicar apostolic of Virápoly.

The churches which had maintained their independence under the Archdeacon MAR THOMAS of Pálakommatta, were designated

Schismatics, Jacobites, or New Christians. On their separation from the Popish communion, they were exposed to powerful enemies and serious dangers. The Roman Catholics regarding their secession as an act both of apostasy and rebellion, persecuted them with unrelenting animosity; the princes of the country, seeing their defenceless state, considered them as fit subjects for plunder and insult; and the subsequent conquest of the whole country, by the Rája of Travancór, reduced them to the lowest state of poverty and depression. But, notwithstanding all these accumulated miseries and misfortunes, MAR THOMAS upheld the dignity of his office. He defended his church with courage and vigour against the persecutions of the emissaries of Rome, and the remaining immunities and privileges of his subjects from encroachments on the side of the princes of the country.

In the year 1665, MAR GREGORIUS, patriarch of Jerusalem, visited Malabar, and consecrated MAR THOMAS, whom he found ruling over the church of the Syrian Christians of Malayála. MAR GREGORIUS died in the country, but during his lifetime and residence with the church he personally discharged none of the duties of diocesan.

In the year 1678, MAR ANDREW succeeded to MAR GREGORIUS; and on the death of MAR ANDREW, about the year 1685, two prelates, MAR BASILIUS and MAR GABRIEL, came into Malayála. These prelates were not recognised as entitled to the management of the affairs of the church, and never exercised the actual functions of metropolitan. These rested with the local diocesan. The foreign dignitaries resided privately in a church appointed for them, and were consulted on occasions of importance.

On the death of MAR BASILIUS, MAR GABRIEL, with the aid of a faction of the clergy and people, endeavoured to depose MAR THOMAS, and to usurp the government of the church. His proceedings were most violent and outrageous. He cursed the native prelate, declared all his acts invalid, and reordained the Katanárs or deacons by force. He consecrated a young priest of the family of Pálakommatta, and raised him to the episcopacy; but both the consecrator and the consecrated paid the debt of nature before the aged native metropolitan, who lived to place the mitre on the head of his own nephew, and expired after a long reign.

The nephew assumed the name of MAR THOMAS, but the manner of his nomination was disapproved of by the schismatical party; and his authority in the diocess met with serious opposition and resistance. MAR THOMAS had recourse to the secular arm of the Rája of Cochin, and the despotism of the prince silenced the clamours of the church; but the stubborn temper of the discontented maintained their secret

opposition, and their request, conveyed through the medium of the Dutch governor of Cochin to their patriarch of Antioch, for a supply of missionaries, was readily granted.

In the year 1750, MAR BASILIUS maphriana, MAR GREGORIUS metropolitan, and MAR JOHANNES (called in Malabar EVANIUS) bishop, were conducted with honour into Travancór. The maphriana was invested with authority to consecrate MAR THOMAS metropolitan, and brought with him the crosier, the crucifix, and the ring; but, a quarrel ensuing, the consecration did not take place. These foreign prelates, at the instigation of many of the priests, and amongst others CYRIL, whom they instructed, and whom report speaks of in high terms as a scholar and a Christian, attempted to take upon themselves the government of the church, but which MAR THOMAS resisted, and resisted successfully.

In the midst of this schism and discord MAR THOMAS died, having previously consecrated his nephew, MAR THOMA, who succeeded him in defiance of the foreigners; and in the same year, A.D. 1757, the maphriana consecrated CYRIL bishop in the church of Kandidad.

For nineteen years the factions of the clergy and laity were unappeased, their churches were ruined, and the whole of this people almost reduced to beggary, when the animosities of the prelates were suspended at the stern command of the sovereign of Travancór. The foreign faction, both clergy and people, submitted to the decision of their Hindú prince, and acknowledged the supremacy of their native prelate; and their contumacy was punished by a fine of 72,000 chuckrams, or 3,000 rupees.

Their reconciliation was celebrated by the consecration of MAR THOMA metropolitan, by the name of MAR DIONYSIUS. He was adorned with the crosier, the crucifix, and the ring, which had been brought from Chaldæa by the maphriana for the decoration of his uncle; and he was invested with plenary and paramount authority in all affairs of the church. The foreign bishops, GREGORIUS and JOHANNES, or EVANIUS, MAR BASILIUS maphriana, having died A.D. 1765, withdrew to a church given to them for their residence on a fixed daily allowance or pension, and interfered not with the government of the affairs of the church further than as advisers and referees—the local or native metropolitan enjoying the sole executive power.

In the year 1772, the daily allowance stipulated for the maintenance of the foreign prelates was withheld by MAR DIONYSIUS; and GREGORIUS was, in his old age, left without support. Necessitated to quit the place of his retirement, he repaired to Cochin, and there conferred on CYRIL the full dignity of metropolitan. The Dutch

authorities witnessed CYRIL's elevation, and certified the legality of his consecration. The Rája of Cochin acknowledged him as primate over the churches within his dominions, and sanctioned the performance of the duties of his ministry. But his adversary, DIONYSIUS, was too powerful; CYRIL was compelled to yield up his insignia of office, and, betrayed by the Rája of Cochin, was treacherously delivered into the hands of his rival, by whom he was thrown into confinement, and treated with every indignity and insult.

To what period his imprisonment extended is not known: all that can be ascertained is, that he was released from his confinement by the zeal and courage of a brother, and that his flight was directed to Agugnúr, where he found refuge and rest from the persecution of his enemies. At Agugnúr CYRIL built a church, and lived there a recluse till his death, which happened in the month of June 1811, shortly after his having consecrated his successor.

The flight and retirement of CYRIL was followed by the death of both MAR GREGORIUS metropolitan, and MAR JOHANNES, or EVANIUS, bishop. MAR DIONYSIUS, now in full possession of his diocese, reigned undisturbed, and exercised his power with moderation and justice. The power of a metropolitan, among a people dispirited by oppression and sunk in ignorance, must undoubtedly be very considerable and extensive, particularly in a prelate whose secular authority equals his spiritual jurisdiction. This diocesan not only called councils by his own authority to deliberate and decide on the affairs of the church, but he administered justice and took cognizance of civil causes among the members of his communion. His influence was maintained on the one hand by the authority of the Hindú sovereign, and on the other by his right of excommunicating the disobedient members of his church. The latter gave, as it yet gives, the metropolitan a great degree of power and authority; for nothing has a more terrifying aspect to the people than a sentence of excommunication, which they reckon among the greatest and most tremendous evils. MAR DIONYSIUS appears to have been a man of probity, pliable and obsequious in his commerce with persons of all ranks, and extremely zealous in promoting practical religion, which he recommended by his example as well as by his precepts.

MAR DIONYSIUS was succeeded as metropolitan by a priest of the Roman church of Korrovolanghát, whom he had educated, and whom he consecrated in the year 1797, a few years before his death, under the name of MAR THOMAS. This prelate was of the family in which the dignity of archdeacon, and afterwards of metropolitan, had been hereditary for many centuries, but which had gone over to the Roman

Catholics with ALEXANDER of Pálakommatta; since which period the custom had been to get a youth from that family, and place him with the metropolitan for the time being, to instruct him and eventually to consecrate him.

The successor nominated by MAR THOMAS was his own nephew, PADRE THOMA, who had been brought over from the family of Korrovolanghát, a man of the most inoffensive conduct and manners; but, as his appointment was not consonant to the wishes of the body of the people, much dissension arose in consequence throughout the church. The enemies of the nephew laboured with unremitting vigilance and intrigue to poison the mind of the uncle by every calumny that could be invented. They represented PADRE THOMA as one of the worst of characters; painted his life as one scene of evil doings and ambitious schemings to gain possession of the prelacy; and finished by persuading the aged bishop to withdraw from the society of his nephew, and to throw himself on the support and protection of his people. Agitated by their constant representations, and alarmed for the safety of his person, MAR THOMAS declined all intercourse with his nephew, and withheld from him the sacred offices of consecration.

Soon after, MAR THOMAS ended his pontificate; and, as he had refused till his last moments to install his nephew in the prelacy, or to nominate any other person to be his successor, his attendants took upon themselves to call PADRE THOMA to the bishop's bed-side; and a Katanár, named ITÚP, with a few others of the clergy, robing him in the episcopal vestments, made him kneel down near the cot of the expiring bishop, and consecrated him to be their metropolitan by the name of MAR THOMA.

This nomination received the sanction of the Rájas of Travancór and Cochin. But, however, as the appointment was not only irregular, but contrary to the usages and ancient customs of the church, the greater body of the Christians refused to grant him obedience, and suspended the payment of the usual allowance for his subsistence. They appealed against his usurpation to the British authority, and applied to their patriarch for an ordained prelate, but in neither case with success; when the sudden demise of MAR THOMA allayed their dissensions, and restored peace and harmony to the church.

The history, misfortunes, and character of this depressed primitive people began about this period to excite the attention of the British authority in Travancór, and to attract the kindness, if not to experience the most decided protection, of their native sovereign. From this period the Christians of Saint THOMAS have no longer had reason to complain of the cold and silent indifference of their brethren in

Europe. Much difficulty, however, was for a time experienced in improving their condition, in consequence of the internal dissensions amongst the clergy and people, owing to the irregularity of the consecration of their bishop, and his want of qualifications to fill the office. With the aid, however, of the Ramban or priest JOSEPH, a man of eminent piety and zeal, the British resident was able to make arrangements for erecting a college at Kottayam, a central situation, for the education of the clergy and Syrian youths in general, and to adopt measures which appeared requisite for the general amelioration of the Syrian community. Three English missionaries were attached to the college, with the fullest approbation of the bishop, clergy, and people; and, in confidential union with the nation, they proceeded to carry into general effect the arrangements necessary for the improvement of the church.<sup>1</sup>

The temporal situation of the Christians was also materially improved. The intelligent and liberal-minded Ráni of Travancór appeared to feel a deep interest in their situation. Her highness appointed a considerable number of them to public offices, and generously presented the sum of twenty thousand rupees to the college of Kottayam, besides a very considerable grant of land, with one hundred slaves to cultivate it, as an endowment for its support.

## CHAPTER THE FIFTH.

FROM THE FOUNDATION OF THE COLLEGE OF KOTTAYAM, AND THE ESTABLISHMENT OF THE BRITISH MISSIONARIES WITH THE CHURCH, A.D. 1815, TO THE PRESENT DAY, A.D. 1826.

MAR THOMA was succeeded in his office by the Ramban JOSEPH, who, worn out with age and abstinence, lived long enough only to

<sup>1</sup> The English missionaries attached to the church have conducted themselves with great prudence, and they are respected and beloved by the people. The further resort of respectable and well-educated clergymen of the church of England will be productive of the greatest advantage, for the Syrians themselves are lamentably deficient in knowledge, energy, and ability; and the assistance of intermediate agents is therefore rendered essentially necessary to the success of the measures adopted for the amelioration of the community.

The missionaries at present manage for them the temporal as well as the spiritual concerns of their church, under the direction of the metropolitan. They form also the medium of communication between the people and government, and all their privileges are to a certain degree committed to their care.

The establishment of the college, in which the metropolitan resides as its head, consists of two malpans, or Syrian doctors, who lecture in Syriac, a learned Jew

afford the warmest testimonies of satisfaction and joy at the improvement of his church.

On the line of metropolitans from MAR DIONYSIUS becoming extinct by the death of MAR JOSEPH, MAR PHILOXENUS, the present metropolitan, was placed at the head of the church. MAR PHILOXENUS is second bishop in the direct line from CYRIL, and was consecrated by his predecessor of the same name, at the church of Agugnúr, A.D. 1812, in the presence of priests and Christians of the church of Chatakulam and its appendant churches of Paraqui and Konankalakare. Another candidate was also put in nomination, named DAVID, who is still living. Lots were drawn, after an invocation, and the lot fell upon PHILOXENUS. MAR PHILOXENUS, before his elevation to his episcopal dignity, was possessed of a large fortune, and was a free liver. At his consecration he relinquished the whole of his property to his relations, and assumed the character of a recluse, and the most abstemious habits. For money, or the riches of this world, he has the most thorough contempt. He is pre-eminent for a simple dependence upon God, for an unaffected simplicity of manners, and for a most intimate knowledge of the character of his countrymen.

Notwithstanding, however, his truly episcopal and Christian character, his elevation met with opposition from the party of DAVID; and, as the validity of his consecration was called in question, a synod was held to put a stop to the clamours of the insubordinate, in the presence of the British resident, the Divan of Travancór, and the whole of the clergy of the diocese, at Balghauty, near Cochin. The legality of his consecration was supported by two learned Rambans, PHILIPPUS and JOSEPH, and opposed by the present Malpan KONATTA. The decision was in favour of its legality. MAR PHILOXENUS, however, had been called to the government of the church against his inclination; and finding himself too infirm to discharge

teacher of Hebrew, two native teachers of Sanskrit, and an English tutor and his assistant. The number of students is at present fifty-one, eighteen of whom have received the initiatory ordinations.

The objects which the missionaries have in view are:—

1. The circulation of the Holy Scriptures in the Syriac and vernacular tongues, with other works of religious and general information.
2. The general instruction of youth.
3. The special instruction of the clergy.
4. The erection and enlargement of churches.
5. The expurgation of the ancient doctrines and rituals from the Popish ceremonies, and the restoration of the primitive discipline and government of the church.

alone the high duties of his office, he begged permission to retire, to pass the remainder of his days in seclusion and prayer.

MAR GEORGE was in consequence elected to be his colleague, and consecrated under the name of MAR DIONYSIUS. MAR PHILOXENUS chose for his retreat the church of Agugnúr, in which he had received his consecration, and which had been the place of refuge of the virtuous and learned CYRIL, by whom he had been educated and admitted into holy orders. Here he lived, avoiding every interference in the affairs of the world, and resigning the management of his church to MAR DIONYSIUS, till he was summoned to perform the sacred duties of his office over the grave of the latter.

After the funeral of MAR DIONYSIUS, the elders of the church, the most wealthy and respectable part of the laity, met for the selection of a person to succeed the deceased metropolitan. The two principal Malpans, ABRAHAM of Mamalacheri, and PHILIPPUS of Chapand, were put in nomination; and to these were added the Katanár JOSEPH of Kallupar, in consequence of the recommendation of the late metropolitan. In allusion to the circumstance recorded in the Holy Scriptures, relating to the appointment of a successor to JUDAS ISCARIOT, lots were drawn. Two papers were put in for each candidate, each containing an appeal to the Divine Being: on the one was written, "If it be the will of God that Malpan ABRAHAM be raised to the office of metropolitan, let this paper come up:" on the other, "If it be not the will of God that Malpan ABRAHAM be raised to the office of metropolitan, let this paper come up;" and the same for each candidate. These papers being carefully folded up and placed on the altar, MAR PHILOXENUS implored the Divine guidance and determination; and he and his priest chanted some prayers. A young deacon then approached the table, making three prostrations, and took one of the papers: it was that respecting Malpan ABRAHAM, but rejecting him. The other paper electing him was then looked for and removed. Prayer was resumed: the deacon again advanced to the altar, observing the same acts of reverence, and drew forth a second paper, appointing Malpan PHILIPPUS. A day was fixed for his ordination, when he was consecrated, with the usual forms, by MAR PHILOXENUS, under the name of MAR DIONYSIUS, and installed in the office of metropolitan. MAR PHILOXENUS returned to his favourite residence at Agugnúr; where he continued the same holy, retired character, till roused by an unjust attempt of MAR ATHANASIUS, a Syrian bishop, to deprive him of his dignity as metropolitan.

MAR ATHANASIUS came into Travancór in the month of Novem-

ber 1825, sent, as he said in his proclamation to the church, " by the order of their general father and lord, MAR IGNATIUS the patriarch ; and styling himself ATHANASIUS, metropolitan of Hindústán, seated on the throne of the apostle THOMAS." Instigated by the principal Malpan amongst the Syrians, and a young Katanár named PHILIPPUS, he demanded of the government the immediate deposition of MAR PHILOXENUS and MAR DIONYSIUS, the local metropolitan, and his own acknowledgment. He called upon the churches to yield him their instant obedience ; gave orders for the omission of the names of PHILOXENUS and DIONYSIUS in the prayers of the church ; acts of violence were resorted to against such as refused compliance ; priests were suspended for acts done in obedience to the orders of the native diocesan ; the tombs of former metropolitans were demolished ; the interior of churches altered ; and the laws and customs of the community infringed.

The native prelates, for the safety of their persons, sought refuge in the college of Kottayam, and under the protection of the British missionaries. MAR ATHANASIUS summoned them, as common priests, to appear before him ; and, on their refusal, he fulminated before the assembled Katanárs, in the church of Kottayam, a regular anathema against PHILOXENUS and DIONYSIUS, and forbade all, on pain of his curse, to visit them. The astonished assembly were taken by surprise, for the intentions of ATHANASIUS were unknown till he had actually commenced the ceremony of excommunication ; but an attempt by the leaders of his faction, Malpan KONATTA and the Katanár PHILIPPUS, to obtain from the assembly their signatures to a paper acknowledging ATHANASIUS, and rejecting PHILOXENUS and DIONYSIUS, was resisted with indignation. The doors of the church were in consequence closed upon them ; liberty offered as the price of their obedience, and confinement arrayed before them as the punishment of their obstinacy. Intimidated by the wrath of the foreign prelate, or alarmed by the threat of harsher measures, the assembly successively subscribed a modified paper, acknowledging ATHANASIUS as deputed from Antioch to assist their native metropolitans, but not rejecting either PHILOXENUS or DIONYSIUS.

On obtaining this paper, MAR ATHANASIUS pronounced all ordinations void which had been held since the decease of MAR DIONYSIUS metropolitan, who died A.D. 1810 ; conferred fresh orders on those already possessing them, priests as well as deacons ; and threatened with excommunication such as refused to receive them. Large fees for the administration of the ordinances of marriage and burial, and for the celebration of feasts for the dead, were exacted ; and the

services of the church were directed to be withheld, unless unconditional compliance was rendered to his regulations, notwithstanding they were at variance with the ordinances of the state, and the customs and practices of the church.

These irregular proceedings produced division and a long train of evils, and exposed the church to the laughter and scorn of the Roman Catholics and the Hindús around them. MAR PHILOXENUS declined to take upon himself any active management of the affairs of the church, till the expiration of the forty days from the day of pronouncing the anathema, and retired to his usual retreat in perfect peace of mind, saying, "that he had done nothing to merit the sentence recorded, or the proceedings adopted against him. That he placed his reliance upon God; and when he remembered that it was the practice of the church to excommunicate with great reluctance, with much fasting and prayer, he could not feel any fear when he perceived the hasty passion with which this curse against him had been uttered."

Under all these provocations, his conduct for meekness, self-possession, and forbearance, was beyond all praise. He was, perhaps, deficient in the energy which the occasion required; on which account, and because of his refusal to take any decisive step at an early stage of the proceedings, many, who were desirous of acting with him, submitted to his opponent, intimidated by the menaces of MAR ATHANASIUS, and cajoled by those who favoured his cause.

On the retirement of PHILOXENUS, to expiate in seclusion and prayer the anathema that had been fulminated against him, MAR ATHANASIUS addressed a circular to all the parishes, mentioning that he had excommunicated PHILOXENUS and DIONYSIUS as children of the devil, and forbidding their admission into any church. This letter the presbytery in general refused to receive; and transmitted it to the Madras government, with a prayer that it would vindicate the rights and privileges of the Syrian church, and put a stop to the outrageous and violent acts of the foreign prelate, who had trampled upon the laws of the state, annulled the most sacred ordinances, invalidated the most solemn engagements, and, by unsettling the inheritances of many, would give rise to endless litigation and confusion.

A proclamation was in consequence issued by the Madras government, reminding the Syrian Christians of their duty and obedience towards their native metropolitan; and threatening the factious with that punishment which was due to contumacy and rebellion. MAR

ATHANASIUS was warned against all further interference with the affairs of the church. He was cautioned against infringing upon the laws of the country, and advised to return to Syria if he could not remain at peace with MAR PHILOXENUS, the native prelate, in whom was vested by the government the plenary and paramount authority over the church of Malayála.

The forty days having now expired—the period of expiation imposed by the curse—MAR PHILOXENUS reassumed the exercise of the duties of his prelacy; and, anxious to restore the peace and unity of his church, immediately addressed pastoral letters to all the parishes in his diocese, informing them of the proclamation issued by their sovereign, recalling the Katanárs, elders, and people, who had departed from the established customs of their communion, and had been guilty of irregularities, to return to the usages of their church, under pain of the chastisement which their offences deserved. He called on the clergy to take measures for securing the attention of the people to their morning and evening devotions, for their attendance at church, their keeping the fasts, confessing and receiving the sacraments, watching diligently the concerns of their souls, and placing their dependence upon God.

Neither the conciliatory character of PHILOXENUS nor the forbearance of the government mollified the arrogance of ATHANASIUS. He would hear of no compromise; he rejected every idea of any application to the sovereign of the country, under whose sanction, in conformity with the custom of the Syrian Christians, the native metropolitan was acting, or to the church collectively, for an investigation of the legality of MAR PHILOXENUS's consecration; but persevered in his attempt to depose him, to disregard all public enactments as well as private rights, and openly to resist the civil authority of the state.

MAR ATHANASIUS was in consequence ordered to depart. The liberality of the state afforded him the means to withdraw from a country whose laws he had violated, and from a church in which his unchristian conduct had sown the seed of schism and dissension. Before his departure he publicly anathematised several of the most respectable Syrians in the country, and committed a flagrant act of injustice in destroying the credentials, or letters of consecration, given by MAR GREGORIUS, A.D. 1772, to MAR CYRIL, and which were of importance in establishing the title of the present line of metropolitans. The conduct of Malpan RONATTA of Mamalcheri, the great instigator of the commotions, and the adviser of MAR ATHANASIUS, a man of bad character, and who was the terror of his neighbour-

hood, and that of the Katanár PHILIPPUS and of his partisans, underwent an investigation ; but their scandalous offences, through the lenity of the government, escaped the full complement of the punishment which the laws demanded ; and their sins were atoned for by a fine, a short imprisonment, and the spiritual censures of the church.

[*To be continued.*]

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ART. V.—*The Lamentations of the Natives of Ceylon over the Bodies of their Deceased Relatives, communicated by Lieut.-Colonel WILLIAM COLBROOKE, M.R.A.S. &c. &c.*

WHETHER the feelings which these lamentations express have existence in all cases in the hearts of the mourners, or otherwise, is not at present the consideration. The observance implies that such feelings are held in high estimation; and the striking resemblance which these lamentations bear to those in Scripture, and in particular to that over Saul, appealing to the common sympathies which the occasion naturally calls forth, and uttered in short, emphatic, and unconnected sentences, renders them not the less worthy of observation.

Immediately after the death of a person the people of the house begin to weep aloud and to embrace each other; and the female relations, friends, and neighbours coming in, sit down about the body, and, putting their arms around each others' necks, raise up the most bitter cry of lamentation, their long hair falling dishevelled, their breasts uncovered, which they continue to beat, and at the same time to enumerate the excellences of the deceased, exclaiming — “ Ah, he has left us! he has fallen! he is gone!” and drawing various comparisons descriptive of the beauty of his person.

THE WIFE'S LAMENTATION OVER HER HUSBAND.

“ Ah, how many years have we been married and lived together! Never were we separated till now, oh, my husband! Shall I make an offering to God (Brahm) for what is done this day? Because thou art dead thine enemies will now rejoice. I also will come with thee! I saw thee die, and yet I am still alive! Have the gods summoned you? Are you in heaven (Siva's mountain)? When shall I again see thee and the light of thy countenance? When shall I recognise thy gait? When I am ill, who will attend me and obtain skilful aid? When my children cry, to whom shall I make any appeal for them? When they are hungry, to whom will they say, ‘ Father?’ My children, you must not forget the word ‘ Father!’ Oh, my friend! by whom shall my children be now supported? When will my father again say to you, ‘ Son-in-law?’ Do the eyes which saw the joy of my bridal-day witness this death-scene? How can I look on that face, which was once so beautiful, and is now so faded and withered? The people will now point to me, and say, ‘ The widow!’<sup>1</sup> Who will now look in my face?”<sup>2</sup>

<sup>1</sup> Referring, perhaps, to the Hindú notion, that a widow should ascend the pile with her husband, though this practice does not prevail in Ceylon.

<sup>2</sup> This alludes to the custom of a husband, who, before he goes on a journey, or

The husband makes use of many of the same forms of speech over the body of a deceased wife.

A DAUGHTER'S LAMENTATION OVER HER FATHER.

"From you I derived existence, and when an infant you supported me in your arms, and kept me from falling. Without me you would not eat. With milk and rice you nourished me. To relieve my sorrow you decked me with ornaments. Oh, my father! do I look upon your withered face? Did you not give me in marriage? To whom will my husband now say, 'Father-in-law?' Under whose protection shall we now live, and to whom will my children say, 'Grandfather?' You have left us, my father!"

A SON'S LAMENTATION OVER HIS FATHER.

"From infancy to manhood you nourished me. You endeavoured to give me learning: you gave me in marriage. If I was ill you would not eat. Ah, my father! when shall I again see your smiling face? The people will now say, 'Wretched man, he has lost his father!' You taught me to plough and to prepare the lands; to sow and to reap. I thought you would have partaken of the fruit of the trees I had planted—that you would have partaken of the Palmyra fruit! Oh, my father!"

THE FATHER'S LAMENTATION OVER HIS SON.

"Ah! when I die, who will perform the funeral rites for me? Oh! my child, my own flesh, my strength and support!<sup>1</sup> I believed you would see my death, not I thine! Who was dearer to thy mother? To whom will she now say, 'My son?' That you should have been with us thus long, and have left us in our old age! To whom will your betrothed say, 'Husband?' My son! When we are gone this house will become a refuge for bats! My son! My son!"

To die unlamented is accounted a great disaster; and it is a common saying with them, "When I die, pay me the due honours."

commences any important business, calls his wife, looks steadfastly in her face, saying, "Ah! ah!" and then makes sure of success. He will also look in the face of a beloved child with a similar object.

<sup>1</sup> Literally, "My lion."

ART. VI. — *A Statistical and Geological Memoir of the Country from Punah to Kittor, South of the Krishna River*, by JAMES BIRD, Esq. M.R.A.S., F.R.G.S. of the *Bombay Medical Establishment*.

*Read 19th April, 1834.*

SOME hasty observations, collected during a rapid march that I made in 1824, between Punah and Kittor, gave rise to this memoir, which, though brief and imperfect, may not altogether be devoid of interest, since the geology and statistics of few countries are less known than those of India. Connected as this portion of the globe now is with the political and commercial prosperity of Great Britain, the resources of the country, the mineral treasures of its rocks, the capabilities and productions of its soil, the condition of the inhabitants, and their prospect and means of attaining a higher scale of civilisation, deserve the attention of the legislator, merchant, philanthropist, and man of science. Its statistics and geology are yet desiderata: and though the portion of information here communicated be but a speck on the ocean that lies before us, it will perhaps contribute something towards a clearer view and more accurate chart of the whole, which may be brought, I hope, to perfection in the course of time.

#### THE NATURE OF THE SOIL AND APPEARANCE OF THE COUNTRY.

Two routes may be followed in going from Punah to Kittor. The first lies in the immediate vicinity of the Krishna river; and, after crossing and recrossing it several times from the neighbourhood of Satara to the village of Yerúr, meets the other route which lies farther north. It leads through the towns of Sangli and Merich; but, as the vicinity of the Krishna is one unvaried scene of cultivation on a level surface and dark sandy soil, it requires little notice. The other remains to be described.

From Punah to Kittor, the road runs in a south-east direction, parallel to the west coast of India; the Gháts, or western Vindiya mountains being on the right-hand, as the traveller proceeds southward. This route crosses the Krishna, Ghatparba, and Malparba rivers, besides a few others of lesser magnitude, of which the course indicates a southern declination of the country. The two latter rivers, flowing north-easterly for some distance, indicate a partial declination in that direction.

The country within this tract, though comprehending a great variety

of soil, may be divided,—1st, Into the table land of the Dekkan, terminating near the town of Pusasaoli and at the Nahwí Ghát, or pass from the high land to the plain below; 2dly, Into that stretching from hence to the Ghatparba river; and 3dly, The tract between the Ghatparba and Kittor.

The parts now subject to British authority are the territories composing the Punah collectorate, and extending to the west bank of the Nira river, the country of the Satara Rájá, which is more or less under the control and management of the resident at that court, and the táluks of Pádshápúr and Belgaum, at present under the authority of the political agent in the southern Mahratta country. The remainder is divided among the southern Jágírdárs, and other tributaries of the British government, which exercises no control over its territorial management.

The Dekkan division, during the dry season, has a very bleak appearance. In travelling southward we continue to pass over chains of barren hills, with flat tops, which occasionally assume conical forms, but never exceed, I think, the moderate height of fifteen hundred feet. Their sides are neither abrupt nor sloping, and are covered by numerous blocks of black rock, which, in the interior of the mountains, appear to have a tabular arrangement, giving them, at a distance, a fortification-like aspect, as if one circumvallation, contained within another, ascended from below.

Only a few stunted bushes are found growing on these hills. The principal of them are different species of mimosæ, the carissa carandas, the flacourtia sepiaria, and the aula of Hindústán.

Between the hilly chains narrow valleys are formed, of which the soil is generally light and gravelly, being ill adapted for any cultivation but that of bájri<sup>1</sup> and juári,<sup>2</sup> which require the assistance of a plentiful monsoon. From the scarcity of rain, however, during last season, the crops had not attained more than half a foot in height, though it was now the month of November, and would be totally lost in consequence.

At the village of Jejuri, instead of the continued mountain chains running east-north-east, with narrow openings between, the hills are disposed in a circular manner, like an amphitheatre, and form corresponding valleys. The only produce of these hills is a species of euphorbium called “chuppál shein.”

From Jejuri to the banks of the Nira river the country is poor, and the soil is little more than the *debris* of the rocks. But, on

<sup>1</sup> *Holcus spicatus*.

<sup>2</sup> *Holcus sorgum*.

approaching the Nira, this becomes black and very susceptible of cultivation, if the round stones scattered over its surface were only removed. The village of Lonud, on the east bank of the Nira, and only a few miles distant, is surrounded by many fine fields well supplied with the means of irrigation and producing abundance of vegetables. The great defect in the agriculture of this part of the country is the want of inclosures, which might be made at little expense, the prickly euphorbium and nerium-leaved being found close at hand for this purpose. Such inclosures, both here and in other parts of the Dekkan, would be a great improvement, since they would defend the vegetation against the strong north-east wind which blows nearly one half the year, and, from its drying influence, robs the soil of its natural moisture and deprives the plants of benefit from the dew.

Beyond Lonud, we enter the Salpa pass, and come to the valley of Satara. Here the soil is much richer than that previously met with, being black and alluvial. It rests on a very deep substratum of grey earth denominated *chúnkar*, from its containing *chúna*, a calcareous carbonate.

A more plentiful supply of rain in this district had favoured the crops, and the appearance of the country, from its verdure, was pleasing to the eye. The hills, which were green to the tops and covered with brushwood, offered an agreeable contrast to the bleak and barren parts of the country just passed over.

The situation of the village of Déour, in this valley, is romantic and beautiful. It is built on the south-east bank of a deep nulla, which forms a branch of the Wasna river, of which the banks are high and earthy and the bed gravelly. The wild oleander grows in abundance close to the water edge; and, at the village, a variety of fine trees rise in majestic grandeur and afford a desirable shade from the noonday heat of a tropical sun. The houses here are also better built than those usually met with in this part of the Dekkan, and are neatly roofed with flat tiles. The general direction of the streams flowing through this valley is south; those previously met with being north.

From Déour to Pusasaoli is two stages, and the road leads through the Nahwi Ghát. The hills near the Ghát became broken, and the country beyond Pusasaoli is flat, only one or two solitary hills being visible for some distance.

Pusasaoli, which is a large town, contains a good bazaar, and supports a manufactory of black kumlies<sup>1</sup> for the Satara market.

<sup>1</sup> A sort of blanket.

The different kinds of soil known here are a dark brown one called "tambra," and a gravelly earth denominated "sherwut" or "karrak," according as it contains a less or greater proportion of *chúna*. The substratum of the former is trap in a state of decomposition; and of the other, trap with beds of *chúna*.

The first differs but little from the soil of Gujarát, called by Mr. Marshall kali-bhui, of the lower level. It is adhesive and cracks by drying; but, if irrigated, may be cultivated with chuplagheon.<sup>1</sup>

When the field is ziraut, or dry land, "harbarri jundla"<sup>2</sup> and shetgheon,<sup>3</sup> may be raised during the cold weather on this kind of soil; but bájri is its most common produce, which comes to perfection in the rainy season. The other kinds are usually cultivated with kardu<sup>4</sup> and karli.<sup>5</sup>

The neighbourhood of this town presents extensive fields of good black soil in a waste state, which have not been cultivated on account of the almost total absence of rain during the last two seasons. The fields on the east side only were in use, as abundance of means from nullas and wells exists there for irrigation.

Parts of the country comprehended in the second division are equally barren as those that have been described in the first; but the rich and beautiful fields on the banks of the Krishna, amply compensate for the few miserable villages and unproductive lands which we meet with near the Yerla river.

Among the latter the village of Aundhli was the most poor and desolate. The soil, which is here very sandy, rests on a bed of gravel, and produces nothing without the assistance of a plentiful monsoon; from the failure of which, last season, an almost total absence of vegetation became the natural consequence, and the inhabitants, with the exception of a few, had deserted the village.

The distinctions of the soil known at this place are "changli kali zamin," or pure black earth, which is a tolerably rich black mould from three to four feet deep, resting on another of a grey colour, which contains much *chúna*. It is divided into the dry and garden lands; but of the latter there are very few near Aundhli, and these are usually assessed at twelve rupees per bigah. The next kind of soil is that known by the name of "marut," which is a black earth of a reddish tinge resting on gravel, and is usually two feet deep. This is generally cultivated with sealu,<sup>6</sup> and is taxed from six rupees and a quarter to seven and a half. The last of the soils is "karrak,"

<sup>1</sup> *Triticum monocum.*

<sup>2</sup> *Triticum spelta.*

<sup>3</sup> *Verbesina sativa.*

<sup>4</sup> *Cicer arictinum.*

<sup>5</sup> *Carthamus Persicus.*

<sup>6</sup> *Holcus saccharatus.*

which, like the former, rests on a bed of gravel, but is seldom more than a foot in depth. It is divided into a better and worse kind, according as the proportion of grey calcareous earth be more or less to the quantity of stones and gravel. It commonly lets from a rupee and a quarter to a rupee and a half, and is cultivated with different kinds of oil plants.

As we approach the banks of the Krishna, the country lies before us one extensive plain to the south-east and north-west, whilst the ridges of hills on the north and south are barely visible and at a distance. The banks of the river, which are deep and shelving, are composed of black earth with mixed sand. The greater part of the soil on the north or left bank is of this description, but that on the right or south bank is more gravelly.

From the Krishna river at Yervoi, to the Ghatparba at Argúl, the country undulates, and presents here and there hilly ranges of broken basalt. Some parts of it consist of extensive plains covered by a little stunted grass, serving as pasture to numerous flocks of antelopes, where only a few patches of scanty cultivation may be seen about the villages, and nothing can be expected in the way of improvement when the poorness of the soil, and the want of water, are inseparable obstacles to all attempts at cultivation.

On the banks of the Ghatparba the hills of Pádshápúr became distinctly visible, and have a beautiful green appearance from being covered by thick jungle to the top, announcing at once the great difference of the country we have now approached from that we have left behind.

The greatest length of the hills appears to be from east to west, but the fine valleys, surrounded by them, open to the north and south. It is in this direction, also, that the Ghatparba flows to form the falls of Gokauk, which will be noticed after having described the appearance of the country through which our route lay. The valleys between the hills are very fertile and highly cultivated. Many of the fields have been reclaimed from a state of jungle waste by cutting down and burning the brushwood; and much more in this way remains to be done, but can only be performed by those who have capital, and to whom, therefore, liberal encouragement should be held out. The soil is light and gravelly, but capable of producing rich crops of sealu and túr.<sup>1</sup>

Near Belgaum the country again becomes undulating, and the low sloping hills which here diversify the landscape, are covered by a

<sup>1</sup> *Citrusus cajan*.

deep stratum of black earth to within a few yards of their summits. Amygdaloidal pieces of broken basalt may be found on the surface of their greatest ascents, and numerous springs of good water are seen percolating through the amygdaloid rock composing the interior of the hills. The small streams flowing from thence, when obstructed in their course, form bogs, where a continued annual production and decay of water-plants causes an accumulation of the soil.

But in situations where the water is in sufficient quantity to reach the hollows and lower grounds, it is then retained by means of a bund or dam, in order that the field may be cultivated with rice. The soil of these hollows is black and alluvial.

In other places the soil of Belgaum, which is red and ferruginous, proves very inimical to healthy vegetation. The mango trees, which are very numerous in this vicinity, soon become dry and withered in appearance, and never acquire that beautifully conical form which they invariably assume in a more favourable and natural bed. The country for many miles to the north-east, is composed of marshy ground, and is cultivated in the monsoon with rice, and in the cold season with harbarri.

From the village of Chota Bagwari, fourteen miles beyond Belgaum, the red ferruginous soil may be found at the base of the mountain ridges until we reach Kittor, where the hills have flat tops, and are covered by thick jungle instead of pasture grass, as at Belgaum. They are composed of a stratified rock shewing alternate white and brown stripes, of which the extraordinary magnetic property will be described in the mineralogy of this part.

Water is here less abundant in the high land than at Belgaum, but is in greater quantity both in the tanks and nullas. Rice is always cultivated on the low lands, and sealu is the usual product of the higher level.

#### FALLS OF GOKAUK.

This cataract, which is formed by the stream of the Ghatparba river, passing over a perpendicular quartz rock of a hundred and seventy-six feet, receives its name from the old fort of Gokauk, now in ruins. From this it is distant about two miles; is nearly ten miles east of the town of Pádshápúr, and about a mile from the village of Kanúr. The Ghatparba here flowing east-south-east, not finding a passage north-eastwards through the body of the quartz sandstone hills of Pádshápúr, has forced itself in a southern direction, and passes into an extensive plain of which the declination is southerly.

In the dry season the body of water forming the fall is not very considerable; and the stream, after being broken by an intermediate

projection of the rock, descends in two separate columns to a semi-circular basin of still water. It has, then, nothing very grand in its appearance similar to what is told us of Niagara; but, in picturesque beauty, may bear a comparison with the other celebrated cataracts which have engaged the attention of travellers. The whiteness of the descending columns; the glittering rainbow appearance of the dazzling sun-beams on the silvery spray; the murmuring noise of the water falling into the clear still basin below; the black rugged appearance of large square blocks of perpendicular quartz rock abounding in the bed of the river; and the natural loneliness of the surrounding jungle, conspire to leave behind impressions which may be better felt than described.

When, however, the stream of the Ghatparba has been swollen by the rains of the moonsoon, the cataract will be seen to greater advantage. The breadth of the river at this time cannot be less than a hundred and eighty yards, and the sheet of descending water must form a grand and magnificent object.

Even the apathetic Hindú could not here contemplate unmoved the majesty of nature, having recorded his admiration of her works by erecting a temple on either side of the cataract; and dedicating them to that God who, in his creed, possesses supreme power in nature's destructive operations.

Where the quartz sand-stone hills ascend from the river there is a Mahádeva temple built on each bank, which, judging from the style of the architecture, may lay claim to considerable antiquity. The roofs are formed of long flat slabs of quartz rock, supported by short thick pillars of the same, and must have been constructed at great trouble and expense, when we consider the hardness of the materials composing them. The general figure of the temples is oblong; and each consists of only one story having several smaller side ones. They, therefore, differ from Hindú temples of modern erection, which are usually pyramidal, and have several stories diminishing in succession to the top.

The rock in the bed of the river, and near the edge of the cataract, has been formed into deep circular holes of two to three feet in diameter, which have been apparently formed by the eddies originating in a stream of water, that, meeting with resistance, receives a circular motion.

From the brink of the semicircular basin, hollowed out by the falls, we descended to the water edge in order to view the cataract below. The path lies on the right-hand side between vertical columns

of quartz rock; and the breadth of the passage is only sufficient to allow of one person going at a time. The opening leading into this from above is so low that it was necessary to creep on our hands and knees to get through. The loose blocks of rock wedged between the perpendicular columns, and forming its roof, hung over our heads like the sword over Damocles, keeping us in continual apprehension that the frail means of support giving way we might be crushed by their fall.

On descending to the water edge the cataract is seen to less advantage than when viewed from above, the rainbow appearance being no longer observable. The echoing noise of the falls, however, is grand and impressive; and the large square masses of stone which have been hurled below by the rains of the monsoon, or the roots of the jungle plants penetrating fissures of the rock, lead us to think on the slow and silent influence of time midst this depth of solitude.

The scenery about the cataract is worthy of admiration; and, in concluding this account, I may venture to say, that if a traveller's expectations are not fulfilled by a visit to the spot, his curiosity will at least be gratified.

#### MINERALOGY OF THE COUNTRY.

The elevated table-land of the Dekkan is exclusively composed of rocks belonging to the fletz-trap formation. The hills which rise on the western gháts as a base have conical or tabular forms, and are sometimes distributed in long ridges or terraces which run east-north-east.

At the openings in the hills west of Punah, known by the name of the Gháts, and which are the passages from the lower land of the Konkan into the higher land of the Dekkan, these tabular forms are grand and beautiful. They are generally triangular shaped, and insulated from each other by broad and deep ravines, of which the perpendicular descent cannot be less than twelve or thirteen hundred feet.

The rock composing these tables is compact basalt of a black colour, in which hornblend predominates.

About Punah, and further south-eastwards, the rocks are generally amygdaloidal, and become lighter in colour the farther they are removed from the western entrance. This amygdaloid is in no respect different from the toad-stone of extra tropical climates. It shews embedded masses of calcedony, zoolites, and green earth; and in the neighbourhood of water courses, at the depth of five-and-twenty or

thirty feet below the surface, contains drusy cavities of crystallized quartz, the appearance of which, in digging wells, indicates that water is near.

A clay-iron ore, of a dark-brown colour, is found at this depth; and is sometimes penetrated by circular canals, which have been pervious to water.

The amygdaloid rock, accompanying the iron ore, is similarly penetrated; but its canals are filled up by spiral pieces of white calcedony.

Calcareous carbonate, denominated *chúna*, abounds on the banks of the water courses; and is seen occasionally in alternate strata with an impure bole, called by the natives "*gerú*." *Chúna* is also found, in the form of calk-tuff, in the beds of the nullas; and is seen venegenous in the basaltic and amygdaloid rocks at the village of Lonud, where calcspar is also found in veins.

Green-stone, heliotrope, agates, and horn-stones, are to be met with in the beds of the nullas, and on the banks of rivers.

On the surface of the amygdaloid, and immediately below the soil, specimens of rock crystal are occasionally discovered. They are attached to the quartz veins, which run through the amygdaloid of the Dekkan east and west, corresponding in this respect with the hills of quartz-rock, which we afterwards meet with at *Pádshápúr*. The basalt of the Dekkan occurs both in columnar and globular forms, and varies in colour from a bluish grey to a deep black. The latter kind is capable of receiving a high degree of polish, and is employed by the Hindús for the interior of their temples.

Along with the basalt and amygdaloid, there is a determinately aggregated rock of a grey colour, which is found in beds: its structure is porphyritic; and the disseminated crystals appear to be felspar, sometimes associated with calcspar. A somewhat similar rock, but of a red colour, is also distributed in beds through these hills. Of this the structure is amygdaloidal.

Where the formation is traptuff, common opal is to be met with.

From *Púsasaoli* to the banks of the Ghatparba, the mineralogical nature of the country is little different from what has been now described. Calcedonies are fewer, and columnar basalt becomes less common the farther we go to the southward. Jaspersy clay-iron ore and red hematite appear more frequent, and are particularly abundant near the town of Mulgaon.

At the village of Argúl, only a few hundred yards from the north bank of the Ghatparba, the country changes. The rock here has some likeness to sandstone, but is in fact aggregated quartz-

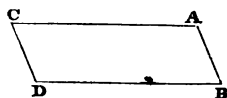
rock. It forms whole hills, of which the long diameter extends from east to west. The structure of this rock is extremely hard, and in appearance it varies from a secondary sandstone to that of pure quartz.

This quartz-rock formation extends as far as Belgaum, where we again meet with the amygdaloid. The undulating ground here, which is of inferior height to the hills of broken basalt, is composed of a red clay-iron-stone or laterite. It is sometimes of a yellowish colour, soft, and in a state of decomposition, from the action of the weather : in such instances it has much resemblance to iron rust. In either case it is hard and undulated, forming an aggregated rock which is used for building.

From Belgaum to Kittor we meet with numerous pieces of iron ore scattered over the surface of the ground. They are most abundant where the soil is red ; and are chiefly to be met with near the hills lying south-east from Kittor. Some specimens of the ore are bubbled, having the appearance as if they had suddenly cooled while in a state of fusion. From the mixed nature of the rocks found in this part of the country, quartz, iron-stone, and basalt, being indiscriminately huddled together, I am inclined to think that some strong convulsion of nature must have produced this at some time or other ; and the generally bubbled appearance of the rocks warrants this conclusion. Specimens of black quartz are found among these rocks.

In the immediate vicinity of Kittor the structure of the rocks is coarse slaty. They are composed of alternate layers of quartz and iron ore, varying in thickness from the sixteenth-part of an inch to that of a whole, which gives the rock a striped appearance.

The effect which this rock produces on the magnetic needle is, however, the most extraordinary part of its nature. It has no inherent magnetic power, since it does not attract steel under any form ; but when cut into a parallelogramical figure, of which two sides are longer than the other two, as here represented, it exhibits great power over the needle of a small pocket compass.



If the side AB be presented to the north pole, it repels the needle ; but when brought round to the south pole, it attracts it. When the side CD is presented to the north pole, the effect is *vice versa* ; and if the stone be moved circularly over the glass of the compass, the needle is set in motion.

It would appear, therefore, that this rock possesses polarity, but does not exhibit any magnetic power in attracting simple steel. The

ore it contains is probably magnetic iron ore; and the well-ascertained fact in magnetism, that two magnets having a free motion will attract when different poles are directed towards each other, and repel when the adjacent poles are of the same name, seems to explain the phenomena.

#### THE CULTIVATION OF PÁN.<sup>1</sup>

The agricultural productions which are in general use among the people of the country having been already incidentally mentioned, I here pass over to others less frequently cultivated; and will now give some account of the cultivation of pán.

This leaf which is in very general use among all classes of Hindús, and is chewed by them with supári, is the produce of a creeping plant, which has been denominated a vine. It has a light-green colour and sub-astringent taste, having a degree of pungency which at first excites an increased flow of saliva, but which diminishes, by repetition, the secretions of the mouth, and parches the tongue and fauces.

In using it, a few bruised pieces of the areca-nut, with two or three grains of ilachi,<sup>2</sup> and a small proportion of carbonate of lime, are wrapped up in one or more leaves of the plant. The whole is then chewed by the natives of India, from the same bad influence of example which has given tobacco a similar station among the inhabitants of Europe.

In the cultivation of pán, both wind and sun are carefully excluded, and a cool shade is studiously preserved for the rising plant. With this view an acre or more of ground is inclosed by a double hedge of thúhar,<sup>3</sup> or closely-bound twigs; and the natural black soil of the place has its capacity for retaining moisture increased, by the addition of a considerable quantity of red argillaceous earth. This fact is practically well known to the pán cultivator, who is generally of a Hindú cast named Tirghul, and is supposed to have originally emigrated to this part of the Dekkan from the Carnatic.

The ground being now ploughed, and manured with horse-dung, if procurable, is smoothed by the harrow; and is then considered to have undergone sufficient preparation for receiving seeds of the sheoga,<sup>4</sup> hutga,<sup>5</sup> and neemb<sup>6</sup> trees, which grow up as the future supporters to the plant, and intended to serve after the manner of hop-

<sup>1</sup> Piper-betel.

<sup>3</sup> Euphorbia neriifolia.

<sup>5</sup> Coronilla grandiflora.

<sup>2</sup> Cardamomum minus.

<sup>4</sup> Hyperanthera moringa.

<sup>6</sup> Melia azadirachta.

sticks in England. These seeds are usually sown, at the end of the monsoon, in parallel rows of two feet wide ; but sometimes a greater distance is left when the garden ground has not been divided into beds, by which it is intended that there shall be sufficient room to allow of the operations of weeding and irrigation being conveniently performed.

On the trees springing up, some of them are removed ; and in the middle of January, when the remainder have attained a foot or two in height, pán slips are planted near each supporter, and from this date frequent irrigation of the garden becomes necessary. Generally two or more slips are inserted, which, according as they thrive, are afterwards thinned ; while, at the same time, the space of a foot and a half is left betwixt each supporter.

The remaining operations are training the pán to its supporter, renewing the red soil, and repeating the manure once a year.

The expense of making a pán-garden of this kind is estimated from four to five hundred rupees, inclusive of the expense of keeping it up until the second or third year, before which time there is no return. The pán plants are not exhausted before the eighth or ninth year, but are deemed most valuable during the sixth and seventh, the leaves being then in perfection.

#### RELIGION AND CLASSES OF THE INHABITANTS.

The Bráhmans, who are divided into the Konkanist, Deshist, and Karradi sects, form but a small proportion of the inhabitants of the country, and are to be chiefly met with in the neighbourhood of great towns, where they have hereditary right in the soil. They are in great numbers on the banks of the Krishna ; and guided, as would appear, in their choice of settlements, by an idea of comfort, or the hopes of gain, are therefore less numerous in the Dekkan division than further south, where a greater field is open to their ambition, from the country being under the protection of men of their own class. Those of the Sudras practising trades, and who are divided into as many tribes as there are arts among them, also bear a very small proportion to the great body of the people, which is composed of common Mahrattas and Lingaiyats.

The common Mahrattas, who are cultivators, are principally met with extending from the Dekkan as far south as Tasgaon ; and the Lingaiyats inhabit the country from hence to Kittor. The language of the former ceases to be generally spoken after passing Tazgaon ; and the Kanari is then universally used by the lower orders of the people.

Many of the Lingaiyats are employed in trade, and are, indeed, the principal merchants on the banks of the Krishna. They pretend to high degrees of purity, and carefully abstain from eating fish or flesh—a practice not so religiously observed among the common Mahrattas. The only object of their worship is the ling, “*simulacrum membri virilis*,” which they generally keep suspended from their necks.

They perform this worship in the Mahádéva temples; but in those only where there is a separate and distinct apotheosis of the *ling*. The ceremonies of their religion are conducted by the virágis, acting under the superintendence of the Bráhmans, at the Mahádéva temples; and they are not, as the name implies, simply religious mendicants, who, from choice, have abandoned the concerns of the world; but are the pretended offspring of the god. According to my information, every woman who, being barren, pays her addresses to the temple, and is blessed with offspring, devotes one of the children to the service of the deity; and, in the event of that child being a male, he becomes an officiating priest among the Lingaiyats.

It is almost unnecessary to remark the degrading superstition of such a religion; for however pure may have been the original metaphysical idea of the institution of the lingam, the effect now speaks for itself.

At Yerúr, on the Krishna, the Lingaiyats have a celebrated temple, liberally endowed with freehold lands for the support of the Bráhmans and dancing-women. It is dedicated to MAHÁDÉVA, and is celebrated for two deifications of the ling; one in its generative capacity, named VÍRABHADRA, signifying the prosperous hero; the other in a destructive capacity, named VÍRAPATERA.

The Jainas are also met with in considerable numbers south of the Krishna. Their establishments are monastic, as the Jainas live in a manner separated from the other inhabitants of a village. Their houses, congregated together, and opening into a square court, are surrounded by a wall, within which stands a temple for the community, where PÁRISNÁTH is the chief object of worship.

The Jainas are mostly engaged in trade, and appear in their manners to be less influenced by superstitious observances than other Hindús.

#### CONDITION OF THE PEOPLE.

Muhammedan history has informed us, and the experience of our time serves to confirm it, that the Dekkan has been at all times more subject to famine than most other parts on the western coast of India.

This happens, as would appear, when the lighter and upper strata of the clouds are carried over that elevated table-land by a strong south-west monsoon wind. The heavier and inferior strata, when attracted by the lower country and hills of the Konkan, descend in rain; so that, none being left for the parched lands of the Dekkan, famine is an inevitable consequence; and the miserable inhabitants, forsaking their homes to seek for food and shelter in the neighbouring countries, extend the evils which follow a partial monsoon.

After a favourable rainy season, however, the Dekkan teems with grain; though such is the irreparable loss caused by a bad one, that several prosperous years can scarcely bring with them a recompense. The little property of the people is expended in retaining their existence: their cattle die for want of food. There are few of them so provident as to think of laying in a stock of grass from the Konkan against a bad season; and their fields remain uncultivated; as they have not the means of doing so without getting more deeply in debt to an artful set of foreigners, the Gujar and Márwári Baniás, who come here intentionally to raise a fortune, and take every advantage of the poor cultivators which chance throws in their way.

This is not a fanciful picture, and is a state of things obvious to all making the inquiry; for the evil has been demonstrated by the fatal experience of the last two years, in the former of which but little rain fell, and almost none during the latter. I have ascertained, by repeated inquiry, that when many of the villagers are pressed for subsistence in the hot season, it is usual for Baniás to advance grain, on the condition of its being repaid double when the ensuing harvest ripens. The crop, therefore, raised by the cultivator is actually in the hands of the Bania before it has been cut down; and as the cultivator is his dependent, he has no remedy but to run again the same course.

In a country like the Dekkan, so liable to have alternate good and bad seasons, a wide field is open for the intrigues of such men; and the evil of the system is too great not to require a check from the legislature,—when it is an observation, not alone applicable to the natives of India, that men get into debt in proportion as the means of doing so become facilitated.

The government and its officers are much disposed, no doubt, to ameliorate the condition of the inhabitants; and there is reason to think that the mild spirit of British jurisprudence prevails in all that has been done for the country. It is to be feared, however, that its servants, in their over-zeal for the interest of the govern-

ment, may mislead it, and adhere too strictly to former custom in their assessments of lands. It may also be doubted if the assessment of former governments forms a fair criterion for our guidance; since our executive is so good, and every thing so minutely noted, that the people are deprived of many advantages derived from the grass and waste lands under the negligence of our predecessors.

The inhabitants generally betray signs of great poverty. To see a silver ornament on the child of a cultivator in the Dekkan, is nearly as rare as it is common in the Konkan. It may be urged, perhaps, that they are thoughtless, spending their money on feasts, festivals, and marriages; and that they are less guilty than other Hindús in this respect, I dare not advance, though I may venture to assert that they are not more so than those in other parts of the country, where there is more wealth and greater comforts. The fault rests not then with them, but with the country where they have been doomed to live; and of this such is the poverty, that it must be assessed lightly until a little capital has been created among the riots or cultivators.

It is a general complaint in the Dekkan, and indeed among all classes of natives, that the country is becoming poorer and poorer every day. That the Hindús are much inclined to make such complaints, and sometimes without cause, is well known; but this is one which is well founded. India is situated, in regard to her commerce with England, precisely as Europe formerly was in regard to India, where large commercial purchases being made by the former to supply the necessities of the state and individuals, little is taken in return by the latter country, which thus drains the other of its specie. This increasing poverty cannot be prevented if resources in this country are not found to render it independent of supplies from England, or its exportable produce be not allowed import there on more favourable terms than those now in force.

In a country, too, like this, where the manure of the dairy is used as fuel, it is difficult to decide what should be done for the improvement of the land. It is known, however, that soil is much improved by stagnant water; and if the natives in favourable situations would be advised to construct earthen bunds for retaining the rains of the monsoon, much of the hilly soil might be converted into tolerable land. Though the inhabitants on the banks of the Krishna appear more comfortable than those of the Dekkan, they were suffering, in common with the latter, from the partial fall of rain during last year.

The country about Belgaum can seldom or ever want for water, when so many springs are flowing from the hills; and as the monsoon both there and at Kittor seldom entirely fails, the lands are very productive, and the condition of the inhabitants good. There is, moreover, a spirit for manufacture among the people in that part of the country, which has, no doubt, bettered their condition, and forms a striking contrast to that of the people farther west.

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ART. VII.—*An Abstract of Muhammedan Law*, by Lieut.-Colonel  
VANS KENNEDY, M.R.A.S., &c. &c. &c.

*Preface.*

THE Muhammedan law is divisible into two parts perfectly distinct—the religious and the municipal. On the first numerous works have been written, and it must therefore seem singular that the latter has never, as far as I am aware, attracted attention; for the real nature of the state of society, and of the government in Muhammedan countries, can never be clearly understood, unless both the religious and the municipal law are taken into consideration. To supply, therefore, this defect, is the intention of the following pages; and sensible as I am of the very imperfect manner in which it has been executed, I can only trust, that any information on a subject not before discussed will prove acceptable to the Society.

It may be necessary to observe, that the municipal law of the Muhammedans is founded professedly on the Koran, and the traditions which have been preserved of the sayings and actions of the prophet and his four immediate successors. To ascertain and decide on the authority of any particular tradition, is esteemed by the Muhammedans a science the most excellent and recondite; and from the admission or rejection of particular traditions have originated the four orthodox sects into which the Sunnis are divided, and the difference of opinion which sometimes exists among the jurists of the same sect. With respect to these sects, it is sufficient to observe that the opinions of MĀLIK and HANBAL are scarcely ever quoted by the writers of the Hanifah sect, and that their followers are at present few in number. The decisions of SHĀFI'Ī are treated with more attention, though, as Mr. HAMILTON remarks, “they are seldom quoted by the doctors of Persia or India, but with a view to be rejected or refuted.” His followers are confined principally to Egypt and Arabia; but his doctrine is also followed by the descendants of the Arabs, the Mapillas of Malabar, which renders a reference to his peculiar opinions frequently necessary at Bombay: I have not, however, been able to procure any of his works.

But the prevailing sect, which embraces almost the whole of the Muhammedan world, is that of ABŪ HANĪFAH, who was born at Kūfah in A.H. 80 (A.D. 702), and died at Baghdad in A.H. 150 (A.D. 767). As Mr. HAMILTON, in his preliminary discourse to the *Hidāyah*, has related the life of ABŪ HANĪFAH as fully as any re-

maining accounts would admit, I shall merely extract the following passage:—"He is described of a middling stature, a comely countenance, and pleasant conversation, harmonious in his voice, of an open and ingenuous disposition, and kind to excess to his relations and friends, admitting none to his society but of the best character. Such a disposition and conduct necessarily secured to him the universal esteem, while his polemical abilities gained him the reverence and admiration of his disciples, as may be collected from an anecdote which is recorded by SHÁFI'Í in the introduction to his *Usúl*, where he relates, that inquiring of MÁLIK whether he had ever seen HANÍFAH, he was answered by that doctor, 'Yes; and he is such a person, that if he were to assert a wooden pillar was made of gold, he would prove it to you by argument!' SHÁFI'Í himself, although differing from him materially in his legal decisions, says in another part of the same work, 'that no study whatever would enable any man to rival HANÍFAH in the knowledge of the law.' It appears, indeed, from the best authorities, that he was a man eminently endowed with science, both speculative and practical; of a mild disposition and tolerating principles; pious, abstinent, charitable, and accomplished beyond all others in legal knowledge. His diffidence is said to have increased with the extent of his acquirements; and he has, indeed, afforded an instance of insurmountable and scrupulous modesty, such as has been seldom recorded, but which twice exposed him to the most severe treatment from his superiors, and probably, in the end, shortened his life. It is related, that HUBAIRA, the governor of *Kúfa*, importuned him to accept the office of *Kází*, or judge, and upon his persisting in refusing it, caused him to be scourged for ten days successively with ten stripes a day, until at length being convinced of his inflexibility, he released him; and some years after, the KHALIF AL MANSÚR having invited him to Baghdad, tried to prevail on him to accept the same office, which declining as before, he was thrown into prison, and there confined until he died."<sup>1</sup>

ABÚ HANÍFAH, however, is principally indebted for his celebrity to his two disciples, ABÚ YÚSUF and MUHAMMED. The first is said

<sup>1</sup> This passage is evidently taken from ISN KHALIKÁN'S *Biography of Illustrious Men*; as it agrees very nearly with similar passages in the account given of ABÚ HANÍFAH by that author. But Mr. HAMILTON has most unfortunately used the words *diffidence* and *modesty*; for the motives by which ABÚ HANÍFAH was actuated, and for which he has obtained the greatest celebrity, were the fear of God, and the apprehension that he might, if he accepted the office of *kází*, be betrayed into committing injustice, and by thus distressing and injuring the people of God, endanger the safety of his own soul.

by some writers to have been the chief *Kází* under the *Khalífs* MAHDÍ, HÁDÍ, and HÁRÚN-UR-RASHÍD; and by others, that he was appointed to that situation by the last of these *Khalífs*. But it is universally admitted that he was the person who first regulated the department of *Kázís*, and obtained permission for their being distinguished by a particular dress. He also first established the principles of jurisprudence, and rendered it a distinct science and pursuit. His abilities and learning obtained him the highest honour and celebrity, and enabled him to give an extensive currency to the opinions of his master. He was born at Kúfah in A.H. 113 (A.D. 731), and died at Baghdad, A.H. 182 (A.D. 798). The other, MUHAMMED, was born at Wásit in A.H. 135 (A.D. 752), and died at Rai in A.H. 189 (A.D. 804). He studied jurisprudence first under ABÚ HANÍFAH, and afterwards under ABÚ YÚSUF. Scarcely any particulars seem to be known of his life; but he has distinguished himself, and conferred a most important benefit on his sect, by his numerous writings, in which he has preserved the opinions and decisions of his two masters. He is the earliest author of a complete digest of the municipal law of the Muhammedans; and it seems that his arrangement of the subject has been adopted by all subsequent writers. It need only be added, in the words of Sir W. JONES:—"That although ABÚ HANÍFAH be the acknowledged head of the prevailing sect, and has given his name to it, yet so great veneration is shewn to ABÚ YÚSUF, and the lawyer MUHAMMED, that when they *both* dissent from their master, the Musalmán judge is at liberty to adopt either of the two decisions, which may seem to him the more consonant to reason, and founded on better authority."<sup>1</sup>

The work, on which the following abstract depends, is named *Hidáyah*, the author of which, BURHÁN UD DÍN ALÍ, was born about A.H. 530 (A.D. 1135), and died A.H. 591 (A.D. 1194). It is admitted by all the followers of ABÚ HANÍFAH to be a work of the greatest authority, and it bears internal evidence that it fully deserves this character; as the opinions and arguments contained in it are supported by constant quotation of the most approved principles and decisions. When, therefore, Mr. HASTINGS was desirous of procuring some standard work, which might serve as a rule and guide in the administration of justice according to the Muhammedan laws, the *Hidáyah* was brought to his notice; and he directed it to be translated from the original Arabic into the Persian language. Of this translation Mr. HAMILTON gives the following character:—"When the English

<sup>1</sup> Sir WILLIAM JONES's Works, vol. iii. p. 510.

translator came to examine his text (translated literally from the Persian), and compare it with the original Arabic, he found, that except a number of elucidatory interpolations, and much unavoidable amplification of style, it in general exhibited a faithful copy, deviating from the sense in but a very few instances, in some of which the difference may perhaps be justly attributed to the inaccuracy of transcribers; and in one particular it is avowed and justified by the Moulavis, because of an alleged error of the author. Many of the interpolations are indeed superfluous; and they sometimes exceed, both in length and frequency, what could be wished. They, however, possess the advantage of completely explaining the text, from which every reader may, for the most part, with ease discriminate them." But I am afraid that the Persian version is indebted for this favourable character to the partiality of a translator, and that it might with more justice be described in the following words, applied by Sir W. JONES to a similar version of the *Sirâjiyyah*, also made by order of Mr. HASTINGS:—"The translation must appear excellent, and would be really useful to such as had not access to the Arabic original; but the text and comment are blended without any discrimination, and both are so intermixed with the notes of the translator himself, that it is often impossible to separate what is fixed law from what is merely his own opinion. He has also erred (though it be certainly a pardonable error) on the side of clearness, and made his work tediously perspicuous."<sup>1</sup>

I am not certain whether or not this version was ever printed, but a revised edition of it was published at Calcutta in 1807, which is the one that I have used. The editor, MAULAVI MUHAMMED RASHID, observes, that in 1776, in pursuance of an order from Mr. HASTINGS, the chief *Kâzî*, with the assistance of three other learned men, undertook the version of the *Hidâyah* from Arabic into Persian; but as they did not live to revise it, numerous errors and important mistakes existed in the translation, and that he had been in consequence directed to revise it carefully. The task intrusted to him he thinks he has fully executed; and that the edition published contains a translation which is in every respect accurate, and a commentary free from erroneous or illegal arguments and opinions. These remarks, it will be evident, call in question the correctness of Mr. HAMILTON's opinion just quoted; but, as far as I have compared the revised Persian version with Mr. HAMILTON's translation, I have observed no difference deserving of the slightest notice; and I

<sup>1</sup> Sir WILLIAM JONES's Works, vol. iii. p. 508.

must therefore conclude that the MAULAVÍ attributes to himself a merit to which he is not entitled.

It is much to be regretted that Mr. HAMILTON, instead of translating the Persian version, had not translated the original Arabic. He, indeed, observes, and justly, "that a literal translation from the Arabic would have left the sense, in many places, as completely unintelligible to the English reader as the original itself." But, without materially departing from the text, this difficulty might have been easily obviated; and the present translation is made so literally from the Persian, retaining even in some places the technical terms of the original without explanation, that it must be nearly unintelligible to the English reader without notes or a running commentary. Mr. HAMILTON, however, has not added either; and I am, therefore, inclined to think that his most laborious work<sup>1</sup> cannot be understood by the English reader, without a repeated perusal and the most patient study. The same reason must also prevent its being of much use to those who are but moderately acquainted with Persian or Arabic. The original, at the same time, being translated so extremely literally, has unavoidably occasioned the real meaning to be often obscured, and sometimes rendered in a manner entirely different from what was intended by the author.

Of the following abstract, the object has been to explain concisely the most important principles of the municipal law of the Muhammedans; and I have, therefore, been obliged to depart altogether from the arrangement of the original, and to express myself generally in my own words. My guide in executing a task, for which I do not possess the necessary qualifications, has been the celebrated commentaries of BLACKSTONE. But it is probable that I may have passed over particulars which required to be noticed; and still more probable, that, in condensing the contents of four quarto volumes into these few sheets, and necessarily avoiding as much as possible all examples and arguments, I may not have rendered the principles which are noticed sufficiently clear and intelligible. The difficulty of selection has been greatly increased by the singular want of arrangement which runs through the whole of the *Hidáyah*, in which, as a reference to the appendix will shew, it is impossible to discover the slightest trace of plan or method. The different books are equally involved in confusion; so much so, that I found an important passage

<sup>1</sup> The Persian version and commentary consist of four volumes, and are, at least, three times larger than the original work; and though the first volume has not been translated, Mr. HAMILTON's English translation fills four quarto volumes.

respecting the responsibility of a king under the head of *fornication and adultery*. But I may still hope, that notwithstanding its imperfection, the novelty and importance of the subject will confer an interest on this abstract to which it would not otherwise be entitled.

ABSTRACT OF MUHAMMEDAN LAW.

It is not, I believe, generally known that the Muhammedans possess a code of laws which is, in theory, distinguished by the principles of justice and freedom. But their effect, in practice, has been rendered in a great measure nugatory by MUHAMMED having sanctified that equality which prevailed amongst the Arabs at the time that he assumed the character of a prophet; religion has consequently prevented the establishment amongst the Muhammedans of any distinction of ranks which would otherwise have probably taken place when they increased in power and riches; and thus the whole authority of the state having devolved on the sovereign, unchecked by any council, corporate body, privileged class, or assembly of the people, Muhammedan princes have found little difficulty in rendering themselves despotic. But this despotism is in direct contradiction to the precepts of the *Korán*, and to the example of MUHAMMED and his four immediate successors; which alone are the rules that ought to regulate the conduct of every true believer. On these, also, are the Muhammedan laws founded, and hence are they held in such veneration that frequent instances occur in history of even powerful princes having been obliged to submit to their control.

Despotic, therefore, as a Muhammedan prince may appear to be, it will be found, on closer examination, that his power is considerably limited by the peculiar opinions of the people. They firmly believe that their government rests on a revelation from Heaven; and as they are in general acquainted with this revelation, and have been from their childhood instructed in the principal customs and laws derived from it, any material deviation from established usage on the part of the prince immediately excites the people to resistance. Hence, also, that class of men whose business it is to explain this revelation, and to preserve its precepts in their original purity, have acquired such influence as enables them often to oppose successfully the measures of the prince.

From this class are the *Kázís*, or judges, selected; and it might therefore be expected that the impartial administration of justice would greatly alleviate the evils of despotism; nor can it be doubted but that in all Muhammedan kingdoms, while they continued in prosperity, this effect was in general produced: the prince might

oppress or punish, without form or process, the persons immediately connected with his court; but his caprices or his cruelties would scarcely ever affect the great mass of the people. There were no feudal lords to trample on the people as their vassals and to defy justice; and though the governors of provinces might be rapacious, still regard to their own interests would prevent them from carrying their exactions to too great an extent. Security of person and property was the privilege of every true believer held under the sanction of religion, and the fear of rousing the prejudices of the people would consequently set bounds to oppression. The divine origin, also, of the Muhammedan laws, and the influence of the body by whom they were dispensed, would, on all common occasions, prevent any material infringement of these laws, or any undue interference with the regular distribution of justice. The laws might not be sufficient to afford protection against the arbitrary acts of the prince, but they were perfectly adequate for the repression and punishment of the injuries and crimes of the people.

There was, however, a material defect in the administration of justice, for it was intrusted in different places to a single individual, who, alone and unassisted, decided both on the fact and the law, and, in many cases, on the punishment. The only check on his proceedings was the obligation to investigate every cause in public. Thus justice depended on individual character; and it may therefore be supposed, that the *Kázís* who dispensed it were not unfrequently ignorant, partial, and corrupt; but, in general, the publicity of their proceedings would compel them to be circumspect in their conduct; and the *esprit de corps*, and the desire of respect and distinction, would prevent them from giving an ignorant or unjust decision. While, therefore, a Muhammedan government retained its vigour, the just administration of a simple and equitable code of laws rendered the people indifferent to the arbitrary power of the prince; and, if the *Kázís* were sometimes partial, this defect was fully compensated by the very expeditious and unexpensive manner in which all suits and trials were decided.

An inquiry, therefore, into those laws from which the state of society in Muhammedan countries has received its peculiar modification cannot be devoid of interest; but I much fear that this interest will be greatly diminished by the dryness of a mere abstract. As, however, nothing material has been omitted, this compendium will perhaps be more effectual than a larger work in conveying a general notion of the principles of Muhammedan law. In the discussion of this subject I have not confined myself to the arrangement of the

author, whom I have taken as my guide, but adopted that of the distinguished commentator on the laws of England as the one to which the reader must be the best accustomed.

Amongst the Muhammedans no disquisitions respecting the origin or nature of law have ever taken place, nor has any distinction in their own laws ever existed; they believe that these are derived from the express command of God revealed either in the *KORÁN*, or in the actions and conversations of their prophet which have been preserved by tradition. The greatest simplicity, therefore, prevails in their laws; and no perplexity arises from the disagreement of customs, codes, or courts of justice. In some cases there is a difference of opinion amongst the principal jurists, but on every material point their decisions are the same.

Blackstone divides his Commentaries on the Laws of England into four parts: 1. The Rights of Persons; 2. The Rights of Things; 3. Private Wrongs or Civil Injuries; 4. Public Wrongs, or Crimes and Misdemeanours.

## PART I.

### RIGHTS OF PERSONS.—PARLIAMENT.

In Asia kings have been always despotic, and there does not appear in history any trace of their power having ever been controlled by a general assembly of the people: but a small part only of Arabia was subject to monarchy, and the greatest part maintained a state of independency, which was little restrained by the heads of tribes in whom the chief authority was nominally vested. On all affairs which concerned the tribe, it was requisite that the whole tribe should be consulted. In this manner were the Arabs living when MUHAMMED rose to power, and neither he nor his four immediate successors made any innovation in this custom of their country; all the true believers who were present in the camp, or at the place of the *Khalíf's* residence, continued to be consulted on all affairs of importance; but, when MOÁVIAH usurped the khiláfat and removed his capital to Damascus, he laid aside the humility of his predecessors, and assumed, with the power, the forms and arbitrary authority of an eastern prince; since which time the Muhammedan people have never been allowed to interfere in any manner in the government; and have been, in consequence, obliged to express their disapproval of their sovereign's measures by insurrection and rebellion.<sup>1</sup>

<sup>1</sup> The *Kuriltái* of the *Tátár* tribes fell into disuse after their conquest of Persia.

## THE KING.

It will perhaps excite surprise to find the doctrine of an implied contract between king and people inculcated by a Muhammedan jurist; but it is clearly expressed in the following definition, which I translate literally: — “A lawful king is he who is perfect in all that is required by the faith of Islám; that is, a true believer, an observer of the precepts of religion, of sound understanding, arrived at years of discretion, and to whom the people have sworn allegiance, and with whose government they are satisfied.” By which it is intended that he should be a propagator of Islámism and a protector of the true believers, affording them security in their persons, property, and women; that he should receive tenths and taxes in conformity to the law; that he should distribute from the treasury what is lawfully due to learned men, preachers, *Kázis*, *Muftís*, colleges, professors, teachers, and others, and that he should dispense justice to the people; and whosoever possesses not these requisites he is not a lawful king, and consequently obedience to him is not necessary; but, on the contrary, it is necessary to rise against him, and to carry on war against him until he returns to the right path, and does that which is right, or until he is slain.<sup>1</sup> It will be admitted that the above contains a very correct definition of the duties of a king, and that had the theory been reduced into practice, the Muhammedans would have enjoyed the most perfect liberty; but rights are of little avail without institutions to protect them, and with such institutions the inhabitants of Asia seem to have been at all times unacquainted. The theory, therefore, of a Muhammedan government, inculcated both by law and religion, is freedom and equality; but the practice has necessarily become despotism in consequence of there being no legal restraints to prevent the abuse of the unlimited powers which have been arrogated by the sovereign.<sup>2</sup> In the last case, as long as he has the means of supporting his authority, he is sole and supreme judge, pontiff, legislator, and king. In the former case he can make no innovations whatever in the established laws whether religious or civil, but he

<sup>1</sup> It is also held that a king is not liable to punishment for any offence which he may commit, because punishment belongs to God, and is merely intrusted to a king in order to deter men by example; but this advantage could not be derived from the king inflicting punishment on himself. He is, however, responsible whenever he infringes the rights of individuals; and is therefore subject to the fine for blood, and to compensation for injuries to private property.

<sup>2</sup> The prerogatives of a Moslem king scarcely admit of definition; for he must either regulate his conduct according to law, or he must exercise an arbitrary power which knows no other bounds than the resistance of the people.

alone is invested with the whole executive power, and with the right of making war and of coining. The latter is considered in Muhammedan countries as the peculiar distinction of sovereignty. The king is also generalissimo, and the fountain of justice, dignity, and office. The two last, however, do not seem to be acknowledged in Muhammedan law, or at least not admitted to possess any peculiar privileges, as they are not noticed in the *Hidāyah*.<sup>1</sup> Government, however, could not be carried on without ministers, generals, and governors of provinces and towns; but all dignity is dependent on office, which is bestowed by the prince alone; and there are no hereditary ranks of nobility and no hereditary offices known amongst the Muhammedans.

With regard to the succession to the throne the law is silent; were, however, the example of MUHAMMED to be followed, it ought to be elective, as he did not appoint a successor, and the four first *Khalifs* were elected by the people. But this omission of the prophet was the cause of the most fatal dissensions and schisms amongst the Muhammedans; ΜΟΛΥΝΙΑΗ seems, therefore, to have found little difficulty in abolishing the right of election and in establishing the khilāfat in his own family. Succeeding princes confirmed this innovation; and it is now recognised as law by the Muhammedans, that the right of succession to the throne belongs to the royal family, and that the king may appoint whichever of his sons he pleases to be his successor. This last rule has originated from the right of primogeniture being unknown to the Muhammedans; and to it must be ascribed the murders, parricides, and wars, which have so often taken place in Muhammedan dynasties.

#### REVENUE.

The Muhammedan jurists hold, that revenue is paid to the king merely in trust for defraying the expenses of protection and government, and for the subsistence of certain classes of the people. He ought, therefore, to take no more from his subjects than what is requi-

<sup>1</sup> The making war on infidels being a duty incumbent on all true believers, the *Hidāyah* discusses at great length the duties of the king as generalissimo; but I have not thought it necessary to make any abstract of this part of the work, nor of what relates to war, captured property, peace, &c. It ought, however, to be observed, that a Muhammedan prince is not at liberty to conclude a permanent peace with infidels, because such a peace would be an infringement of the positive command of God, which enjoins war to be carried on against infidels; but, in imitation of the prophet, who concluded a truce with the men of Mecca for ten years, the prince may also agree to a truce for this length of time, but no longer; and also, according to the example of the prophet on that occasion, should it be expedient for the true believers to commence the war previous to the expiration of the truce, the prince may do so, on giving intimation of his intentions to the enemy.

site for these purposes, though the law should allow him to receive a larger sum. Revenue is lawfully derived from three sources; tenths, a land-tax, and a capitation-tax: originally the Muhammedans drew a distinction between the revenue paid by themselves and by the inhabitants of the countries which they conquered. The first they called *ushr*, or a tenth, which alone was paid by the true believer; the other was called *khiráj*, and amounted to one half of the produce of land, which was levied on such people as were subjected either by capitulation or force of arms. Much legal learning is displayed in the *Hidáyah* respecting what lands are *ushr* and what are *khiráj*. But as the distinction between them seems to have ceased at a very early period of Islámism, it will not be necessary to take any further notice of it; it may, therefore, be considered that the revenue of Muhammedan princes arises either from a land or a capitation-tax.

At first Omar fixed the land-tax according to measurement, each *jaríb* of dry or wet cultivation, or of fruit-trees, being assessed at a certain sum: but this mode of collecting the revenue was soon discontinued, and in lieu of it the land-tax was fixed at one half of the gross produce, to be paid either in kind or in money. The author of the *Hidáyah* observes,—“This tax ought not to exceed what the land can afford to pay; be it, therefore, known, that our jurists have decided that the utmost which the land can afford to pay is one half of the produce, and more than this ought not to be taken; one half is just, and not oppressive, because it was lawful to capture both the persons and the lands of the conquered people and to divide them amongst the Moslems; and therefore taking one half only of the produce of their lands must be equally lawful: but, if the land cannot afford to pay one half, the prince must take less; for to take less is lawful, but to take more than the half is not lawful.

“If the crop fail either from excess or want of water, or from any other accident, such as locusts, drought, &c. the tax shall not be levied, because it was not in the power of the proprietor to bring the crop to maturity.

“But if a crop fail through the neglect of the proprietor, he shall pay the tax.

“If land produce two crops in the year, the tax shall be taken from the first crop only.”

Such are the simple and equitable principles on which the land-tax ought to be levied; and however they may have been infringed on particular occasions, or by arbitrary princes, such are the principles by which all lawful assessments on land ought to be regulated: a tax of one half of the gross produce may appear to be excessive; but it is

to be recollected, that in Muhammedan countries the theory of the economists has been reduced into practice, and that their indirect taxes are unknown, all revenue being derived from the land.

The capitation-tax forms scarcely an exception, as it is trifling in amount, and levied only on such persons as are not Moslems. This tax seems to have been imposed not on account of its value, but as a mark of subjection and a distinction between the true believer and the infidel; and it must have been every day rendered more unproductive by the conquered people becoming converts to the religion of their conquerors. The legal amount of this tax ought not to exceed annually from the rich forty-eight dirhems (about sixty shillings), from the middling classes twenty-four dirhems, and from tradespeople and the lower classes, twelve dirhems; but the payment of it does not exempt the landholder from also paying the land-tax: women, children, slaves, and freedmen, are exempted from the capitation-tax.

#### OFFICERS OF GOVERNMENT.

I am not acquainted with any native work that explains the manner in which the administration of government in Muhammedan kingdoms was conducted. From history it can only be inferred, that the kingdom was divided into provinces, and that the governors of them exercised an unlimited power: they seem to have been vested with the authority of appointing to all provincial offices (with the exception perhaps of that of *Kázi*), of raising and commanding such troops as they might think necessary, and of collecting the revenues and of retaining such part of them as was requisite for the expenses of the provincial administration; but in what manner these revenues were raised is, I believe, nowhere mentioned: it would, however, seem probable, that the collection was made immediately by the head men of villages and towns, which would of course render it unnecessary to employ many officers on the part of government in the general receipt: but of that elaborate system of government which was introduced into India by the emperors of the house of *Tímúr*, there does not appear to be the slightest trace discoverable in the accounts of any other Muhammedan kingdom.

#### THE PEOPLE.

According to the principles of their religion the Muhammedans in every country which they have conquered, though perhaps constituting but a small part of the population, have held that no person is entitled to the rights and privileges of a Moslem unless he embraces the faith of Islám. All the conquered people who adhere to the

religion of their fathers are deprived of the full benefit of the laws, and labour under various disqualifications; but a description of these disabilities had better be deferred: and I will now proceed to the consideration of the two kinds into which, according to Blackstone, the people are divisible.

The Muhammedan law recognises no division of the people into clergy and laity, nor is there any class expressly set apart for the worship of God: every Moslem individually makes his ablutions, repeats his prayers, and performs all other religious acts; and even in their general assemblies on Fridays, any Moslem may perform the duty of Imam; but, as both law and religion are derived from the Koran and traditions, it became indispensable that some persons should dedicate themselves to their study. There has consequently arisen a large body of theologians and jurists, who have gradually formed, from the respect and veneration in which they are held, a separate and distinct class of the people: they possess, however, no legal privileges, and receive no provision either from tithes or from the state; but the piety of individuals has founded schools, colleges, mausoleums, and mosques, and endowed them with ample revenues, which fully provide for the education and support of all who dedicate themselves to the study of jurisprudence and theology.

But, though equally respected, this class differs in most points from the clergy of other countries: they must, indeed, prepare themselves for their future profession by a long and peculiar course of study, and they must maintain a peculiar sanctity in their manners, and devote themselves with peculiar zeal to a due performance of every act which is enjoined by their religion: continual meditation on one particular subject must also occasion bigotry and intolerance. “*Au reste (to use D'OHSSON's words) l'ordination et la consécration sont des rites inconnus aux Mahométans; ils s'en tiennent à la cérémonie de l'institution, et pour les docteurs, et pour les magistrats, et pour les ministres du culte — aucun de ces trois états n'exige ni sermens, ni vœux, soit de pauvreté, soit de chastété; aussi presque tous sont engagés dans les liens du mariage: ils ont même la faculté de quitter leur carrière et d'entrer dans une autre si bon leur semble.*” These three divisions of this class may perhaps be better described as judges, and muftis, or doctors in law,<sup>1</sup> rectors and professors of colleges, and preachers and readers of the Koran; but, as D'OHSSON also observes,—“*L'organisation de ce corps respectable, et les réglemens*

<sup>1</sup> I am not aware of any European term which corresponds with the duty of this description of men, which consists in their giving decisions on all points of law or doctrine which may be referred to them.

particuliers de chacune des trois branches principales qui le composent, n'ôtent à aucun individu la liberté de passer de l'une à l'autre; chacun d'eux est réputé habile à remplir et *le ministre du culte*,<sup>1</sup> et celui de la justice, et celui des loix." By this class alone are various offices of the state held, and while so employed they receive a certain salary; in the same manner, such as are particularly attached to mau-soleums and mosques, receive a suitable provision from the revenues with which they are endowed.

This class, however, being vested with no rights or privileges, are not personally the object of any particular laws; but various laws have been established for giving legal effect to pious gifts and bequests, and for regulating charitable and religious foundations. At the same time, a material difference of opinion has existed amongst Muhammedan jurists with respect to alienations to charitable uses; for ABÚ HANÍFAH held that such alienations could not be made in perpetuity, and that the alienor did not divest himself of his right in the property aliened; that, therefore, the alienor might revoke the alienation and dispose of such property either by gift or sale, and that at his death it devolved on his heirs. But ABÚ YÚSUF and MUHAMMED hold that such alienations may be made in perpetuity; and that therefore the alienor loses all right in the property aliened, and that such property cannot be affected either by gift, sale, or inheritance. This last opinion has been legalized in all Muhammedan countries; and in conformity to it have the laws on this subject been framed, the principal of which are the following:—

Three opinions are held with respect to what is required to make an alienation to charitable uses good in law; for ABÚ HANÍFAH holds that they are not valid unless the declaration<sup>2</sup> of the alienor is confirmed by a decree of the magistrate; ABÚ YÚSUF, that the declaration alone is sufficient; and MUHAMMED, that the declaration must be accompanied with delivery. But the correct opinion is that of ABÚ HANÍFAH.

A man may in his lifetime aliene the whole of his property, but he cannot bequeath more than one third of it.

Property aliened to charitable uses cannot be affected by gift, sale, or inheritance.

<sup>1</sup> This expression is inaccurate, and may convey an erroneous notion of the Muhammedan religion; it must, therefore, be remarked, that in it there are neither rites nor ceremonies, nor any pastoral or episcopal duties corresponding to those of other religions.

<sup>2</sup> Deeds do not seem to have been originally in use amongst the Muhammedans, and their place was therefore supplied by declaration before witnesses.

Such property cannot be divided, but the rents arising from it may be divided.

The alienor may annex conditions to the alienation, and may appoint an administrator of the property aliened, and these dispositions are protected by the law.

The rents arising from alienations to charitable uses shall be first employed in the cultivation of the land, the repairs of buildings, and such necessary expenses, and then appropriated to the purposes of the foundation.

Whenever waste or neglect takes place the magistrate shall interpose his authority, and either cause the administrators to observe the laws, or, in case of disobedience or inability, take the management of the foundation into his own hands.

The law likewise requires that the rents of these alienations shall be expended annually either in support of the foundation or in alms to the poor, and thus has prevented their increase by accumulation or purchase; but the gifts and the bequests of the pious have been equally effectual in withdrawing a great proportion of the property of every Muhammedan country from circulation by dedicating it to the service of religion.

I have before observed, that a distinction of ranks is unknown to the Muhammedan law, and that it is equally repugnant to every precept of the Muhammedan religion; but when the Moslem power became extended over a great part of Asia, Europe, and Africa, the administration of government could not be conducted without the agency of many superior and inferior officers. Various offices have, therefore, been created; and the possessors of them enjoying riches and power are necessarily elevated above the rest of the people. A numerous and distinct class of nobility has thus been formed; but the dignity is personal, and depends on office and on the precarious favour of the prince. The claims of birth, and the merits of a distinguished ancestry, have no existence in Muhammedan countries; and, therefore, the humblest peasant, or the meanest follower of the camp, finds his lowly birth no obstacle to his attaining the highest dignities. But though the men in power are thus evidently separated from the rest of the people, they cannot be considered as a class possessing any political privileges or influence. The first the law denies them; and the latter can never belong to the mere creatures of a prince, who are exalted or depressed by his caprice or favour, and who stand singly unsupported by family connexions and hereditary respect. A governor of a province has occasionally been enabled to raise a rebellion against the prince, and has even in former times succeeded

in establishing an independent state ; but this power was exerted for the gratification of private ambition, and never have the nobles united together so as to render their employments hereditary, and thus form a privileged class which might control the acts of the sovereign. While, however, they retain their offices and the smiles of the prince, they enjoy that respect, submission, and distinction, which always attend riches and power.

Amongst the rest of the people no distinctions have arisen either from law or custom ; but, as in other countries, the man who lives by his estate is more respected than the merchant, the merchant more than the artificer, and the artificer more than the labourer. It would, however, require a much more familiar knowledge with the private life, and economy of the Muhammedans than I possess, to determine the exact degree of influence which they may derive from the possession of property ; but it does not seem that it was ever such as to enable the private rich man to infringe the laws with impunity.

#### RELATIONS IN PRIVATE LIFE.

BLACKSTONE observes, that the four great relations in private life are, 1. Master and servant ; 2. Husband and wife ; 3. Parent and child ; and 4. Guardian and ward.

On the second of these relations the Muhammedan laws are very minute and very copious ; but as these principally relate to the conduct of the husband and wife towards each other, it will be sufficient to notice such of the laws only as require more particularly the intervention of the *Kází*,<sup>1</sup> as disputes between man and wife are in general adjusted by their relations. The Muhammedan law, then, considers marriage as a contract, and treats it as it does all other contracts, allowing it to be good and valid in all cases where the parties at the time of making it were, in the first place, willing to contract ; secondly, able to contract ; and lastly, actually did contract in the proper forms and solemnities required by law.

First, If the parties be of sound mind, and of the years of discretion, their consent makes the marriage valid ; but if not, as is generally the case in Muhammedan countries, the parents, or legal guardians of the parties, must consent to the contract.

Secondly, The following causes disable persons from contracting, or being contracted, in marriage ; 1. Certain degrees of consanguinity or affinity ; for a man cannot marry his grandmother, mother, father's

<sup>1</sup> It must, however, be recollected that the magistrate may take cognizance of every act, whether it be *contra pacem regni*, or merely *contra bonos mores*.

wife, grandfather's wife, daughter, grand-daughter, sister, grand-aunt, aunt, niece, daughter-in-law, grand-daughter-in-law, step-daughter, step-grand-daughter, wife's sister, foster-mother, foster-sister, his own slave-girl, or the daughter of a slave, the daughter of an infidel, nor the mother and daughter of a woman with whom criminal conversation has been held, or who has been touched for that purpose; nor can a man marry two wives, who, if the one were a man, would be related to each other in the prohibited degrees. 2. A prior marriage, or having another husband or wife living; that is, a man cannot marry a married woman whose husband is living, nor can a woman marry a man who has already four wives. 3. Want of age. In Muhammedan law it does not seem supposed that minors will themselves contract marriages, and therefore the laws regard the parents or legal guardians; for if minors be married by their fathers or grandfathers, the marriage shall continue valid when the parties come of age: but if they be married by any other relation or guardian, each of the parties, on coming of age, may either confirm or dissolve the marriage; but in the last case, a decree of the magistrate is necessary in order to prevent disputes. Nor shall the marriage of minors be considered as confirmed on their coming of age unless they declare their consent to it, or shew that they have consented by such acts—as the delivery and receipt of the dower, consummation, kisses, and the like. 4. Want of consent of parents or guardians: and 5. Want of reason. A minor, or a lunatic, observes the author of the *Hidâyah*, has not the power of marrying, because he has no power over his own acts; and this power is, therefore, vested in the person who will be induced by affection to discharge it most faithfully. But if the parent or guardian be absent, and his return be distant or uncertain, this power will devolve on the next person entitled to the guardianship by law; and in case of a minor or lunatic having no parents or legal guardians, the power of marrying him will devolve on the prince and the magistrate.

Lastly, The parties must not only be willing and able to contract, but actually must contract themselves in due form of law, to make it a good marriage; but it must be observed, that amongst the Muhammedans the parties to the contract are not the bride and bridegroom, though their consent, if of age, is indispensable. “Jamais,” says D’OHSSON, “la fille ni aucune femme n’assiste à la solennité du mariage: il se fait par procureurs; et les parens des deux maisons signent le contrat avec l’imam de la mosquée, en présence de trois ou quatre amis, qui servent de temoins.” Any contract made in

words of the perfect tense,<sup>1</sup> and in presence of two witnesses, who are free men, of years of discretion, of sound understanding, and of the Muhammedan religion, or of two Moslem women and one man, renders a marriage valid. The essential requisite of marriage is the presence of witnesses; for the prophet said, *it is not a marriage unless there be witnesses*. But the delivery or promise of a dower is not requisite, and a marriage may even be contracted when it is stipulated that no dower shall be given. Custom, however, has rendered the delivery or stipulation of a dower indispensable.

Amongst the Muhammedans, the liberty of dissolving marriages by divorce is left entirely to the inclination or caprice of the husband, provided that he is neither a minor nor a lunatic. Restricted to the husband, this remark of CHARDIN is perfectly correct:—"La religion Mahomitane tient le divorce licite, de quelque manière qu'il se fasse, et pour quelque sujet que ce soit. Il suffit qu'une des parties soit degoutée de l'autre, et qu'elles se veuillent démarier, fut-ce, d'ailleurs, les plus sages et les plus honnêtes gens du monde, ils font divorce." The book on this subject in the *Hidáyah* is singularly minute, and contains almost every expression denoting or implying separation which a husband can address to his wife, either in jest, in earnest, or in anger; and carefully points out which expression will render the divorce valid. It is even held that if a husband, while deprived of his senses by intoxication, divorce his wife, such divorce is good in law; but to prevent in some measure the effects which might result from this unlimited power, the wife is not allowed to contract another marriage for three months and ten days<sup>2</sup> after the divorce; and if, before the expiration of this term, the husband reclaims his wife, she is obliged to return to him whether willing or not. The husband may thus divorce and reclaim his wife twice; but if he divorce her a third time he cannot recover her until she has been married and divorced by another person. The right of divorce belongs properly to the husband; but the wife may obtain an absolute divorce, in the case of her husband being either impotent, leprous, or lunatic. The law also allows her to purchase an absolute divorce from her husband. The author of the *Hidáyah* observes:—"Whenever a difference arises between a husband and wife, and they become apprehensive lest they should not be able to discharge properly the duties of matrimony, there is nothing to prevent the wife from de-

<sup>1</sup> In the Arabic language there is neither a present nor a future tense.

<sup>2</sup> In the *Hidáyah*, it is ten days after being purified from the third catamenia.

livering herself from the power of her husband, by giving to him in her lieu a part of her property; for the prophet has said, *There is no sin in a wife delivering herself from the power of her husband, by giving property in lieu of herself; and there is no sin in the husband receiving such property.* If, however, the difference has been occasioned by the husband from a desire to marry another wife, he ought not to require any gift for the divorce; and in no case ought he to require more than the amount of the wife's dower.

The legal consequences resulting from marriage are not distinctly laid down in the Muhammedan law. It would seem, however, that in theory the husband and wife are considered as two distinct persons, and may have separate estates, contracts, debts, and injuries; but in practice custom has placed the wife entirely under the power of the husband, and should she at any time enjoy any separate rights, it must be with his consent. And CHARDIN justly observes: "La justice ne connoît que rarement des différends qui arrivent entre le mari et la femme, des mauvais tours qu'ils se peuvent faire, et des sujets qu'ils ont de se separer. Le lieu où les femmes sont renfermées est sacré, surtout chez les gens de condition; c'est un crime pour qui que ce soit de s'enquerir seulement de ce qui s'y passe. Le mari y exerce une pleine puissance sans la participation de personne." The husband, however, is bound by law to furnish his wife with a place of residence, clothes, and food; both during the time that she lives with him as his wife, and during the prescribed period after a divorce: but if she elopes from him, he is not obliged to furnish her with necessities.

The next relation in private life, noticed by BLACKSTONE, is immediately derived from the preceding, being that of parent and child. The Muhammedan law obliges the father to provide for the maintenance, protection, and education of his legitimate children, as long as they remain minors, that is, until they arrive at the age of puberty. The boys should remain with their mother, or other female relation, until they are able to walk, according to some jurists; and according to others, until they are seven years old: and though the daughters may be withdrawn at the same age, it is recommended that they should remain as long as they are minors under the care of their mother or other female relation; after which the sons and daughters are to be placed under the immediate protection of the father. But the law exempts the mother from contributing in any manner to the maintenance or education of her children, and even from nursing them. The author of the *Hidáyah*, however, observes, that though

the mother cannot be obliged by law to suckle her infant, yet piety demands that she should perform this duty.

The laws laid down in the *Hidāyah* respecting parent and child, apply entirely to the minority of the latter; but though minority ceases at about fourteen years, the children still continue in the father's house; and while residing under his protection, whatever their age may be, he is bound to provide for their maintenance, and exercises nearly the same power over them as when they were minors. But in what this power consists, the Muhammedan law nowhere specifies. In return for the care and maintenance afforded them by their parents, the children are bound to support their parents whenever they are unable to procure a subsistence, either from sickness, old age, or poverty. This law is equally binding on grandchildren and grand-parents, brothers and sisters, nephews and nieces, and uncles and aunts, in case of the death of the more immediate relations; and it is in general most faithfully adhered to in every Muhammedan country.

With respect to the relation of guardian and ward, the Muhammedan law considers two descriptions of persons as subject to guardianship—minors and lunatics. The guardian is always the nearest male relation, preference being given to the father, then the grandfather, the elder brother, &c., and, if there be no relations, the *Kāzī*. The guardian is intrusted with the care both of the person and the property of the ward, and is vested with the same power over him as a father over his child; his duties, therefore, and legal obligations, are the same. A guardian may sell or otherwise dispose of his ward's moveable property; but he cannot divorce his wife, manumit his slaves, nor aliene his landed property.

According to the Muhammedan law, a ward has not the power and liberty of acting except with the consent of his guardian, for the nature of actions depends on the knowledge and intention with which they are done; but minors and lunatics, from their want of understanding, are incapable of comprehending or forming an intention. If, however, the guardian consents to an act, his knowledge supplies the defect of judgment on the part of the ward: all sales, therefore, and contracts made by a ward without the consent of his guardian, and all acknowledgments of such sales or contracts are invalid. On the same principle, a divorce, or the manumission of a slave, pronounced by a ward, are invalid: his want of judgment, also, exempts him from punishment in all cases where the offence incurs the penalty of the *lex talionis*, or of certain punishments prescribed by the Koran. But

if a minor or lunatic commit any damage on the property of another, he shall be responsible for the injury done; for the Muhammedan law holds that the owner shall receive a compensation for all damages done to his property, whether intentionally or not.

It is singular that a point of so much importance, as the exact age at which a minor becomes capable of acting for himself, should have occasioned so many different opinions amongst the Muhammedan jurists as to leave it nearly undetermined. ABÚ HANÍFAH is of opinion that a boy and a girl are of age as soon as the usual signs of puberty have completely appeared; and if these signs do not appear, that a boy obtains his majority at eighteen and a girl at seventeen years of age. ABÚ YÚSUF and MUHAMMED, and also SHÁFI'Í, hold that a boy or girl, on completing the fifteenth year, is to be considered as adult. The difference of these opinions will, indeed, depend on the country; but Muhammedan jurists lay it down, that the earliest period of puberty with regard to a boy is twelve years, and with respect to a girl nine years; and it is evident that this opinion will hold good in almost every country in which Islamism prevails. It is also certain that the power of the father over the child, and of the guardian over the ward, does not cease at this early age; but I cannot discover any passage in the *Hidáyah* which authorises the distinction between being of age, and being of years of discretion. It never, however, could be intended that a boy of fourteen years of age was capable of performing the duties of *Kází*.

The relation of master and servant is not acknowledged by the Muhammedan law, which considers the employment of one free man by another to be merely a contract, and the reciprocal responsibility to depend entirely on the terms of the agreement. The law does not sanction or impose any peculiar duties or obligations either on the part of the employer or that of the person employed.

Amongst the Muhammedans domestic service has been always principally performed by slaves; and the discussions respecting them in the *Hidáyah* occupy, as Mr. HAMILTON has observed, nearly one-third of the whole work. But the reasons which he has assigned in explanation of this circumstance, do not seem to me to be at all satisfactory; for nothing appears in history which can authorise the supposition, that slaves at any time formed not only a great part of the wealth of individuals, but also a principal proportion of the community in any Muhammedan country.<sup>1</sup> On the contrary, they seem

<sup>1</sup> I must also dissent from his opinion, that "the cases and examples cited with respect to them are not exclusively restrictive to slaves, but may be considered in the light of so many legal paradigms, equally applicable, in their construction, to

never to have been employed except as servants, and never to have exceeded the number that were requisite for that purpose. There were no extensive manufactories, no mines in which they could be employed; and, as the Muhammedans scarcely ever engaged in agriculture, their lands were invariably leased to the inhabitants of the conquered country, by whom they were cultivated. Among them, consequently, the situation of a slave is entirely different from what it has ever been among any other people, except the Hindús. They are, indeed, separated from their native country, deprived of their liberty, and subjected to various civil disabilities; but their labour is easy, their masters are kind and indulgent, and their toils are lightened by the prospect of emancipation. It is, however, almost impossible to form any general notion of the subjection or protection of Muhammedan slaves, as far as it depends on the law, from the numerous passages scattered without the slightest arrangement throughout the *Hidáyah*. But the following circumstances would seem most deserving of notice.

The truest principles of humanity breathe in the following passage of the *Hidáyah*: "It is incumbent on the master to furnish his slave, male or female, with necessaries;<sup>1</sup> for the prophet has said, *slaves are your brethren whom God has placed under your subjection, therefore feed them with the same food which you yourselves eat, and clothe them with the same clothes which you yourselves wear, and oppress not the servants of your God*. If, therefore, a master do not furnish his slaves with necessaries, and they be capable of labour, they shall be allowed to labour, and their gains shall be appropriated to their maintenance; for in so doing a proper regard is paid both to the right of the slave and the right of the master, and the profit is reciprocal, since the property of the master and the life of the slave are thus equally preserved. But if the slave be incapable of labour from any valid cause, the master shall be compelled either to sell him or to furnish him with necessaries.

The master possesses complete dominion in his slave, and may any other articles of commerce or exchange;" because the right of a master in a slave or freedman is most carefully distinguished by Muhammedan jurists from the right which an owner possesses in any other kind of property, and consequently every act relating to them must form a special case, to be decided by rules perfectly inapplicable to the use and conveyance of any other species of property.

<sup>1</sup> Under the term *necessaries*, the Muhammedan law understands a place of residence, food, and clothes, which should always be suitable to the fortune of the master. The Muhammedans, however, in general strictly follow the precept of the prophet, and treat their slaves in the same manner as they treat the rest of their family.

therefore chastise him, hire out his labour, or dispose of him by gift sale, or bequest; even if he should kill him he is not liable to any punishment in this world. But he is held responsible for the acts of the slave so far, that, in all cases of private or public wrongs, he must pay the compensation required by law, or deliver up the slave.

The slave cannot legally perform any act without the consent of his master; nor can he possess property, all his earnings being the right of his master. There is, however, a singular inconsistency in the Muhammedan law, for it admits slaves to contract debts, and directs the insolvent slave to be sold for the benefit of his creditors. A slave cannot marry without the consent of his master, but he may divorce his wife without his master's consent, and the *status* of the issue proceeding from a slave's marriage depends on that of the mother; for if she be a free woman, whether the husband be a freedman or slave, the child is free: and if the mother be a slave or freedwoman, though the husband be a free man, the child belongs to the *status* of his mother. The person of the slave is protected by the law against every one except his master; and whoever, therefore, steals him, or injures, or kills him, is obliged to make legal compensation to his master: but though the law in general considers a slave merely in relation to his master, yet in all cases of offences not redeemable by fine, the slave himself is personally responsible for his actions; and the master, as before observed, may always exonerate himself from the fine by delivering up the slave.

As, however, the legal restriction imposed on the acts of a slave arises solely from the right of property possessed in him by his master, and not from any natural defect in the slave, who is otherwise capable of acting, being endowed with speech and judgment, it necessarily follows that this restriction may be removed by the master. The law, therefore, authorises a master to permit his slave to set up a trade or to engage in merchandise; and it is not necessary that this permission should be publicly declared, for the circumstance of a slave acting for himself is a sufficient proof that he has obtained his master's consent. If any master grant a permission for a specific period, or for a specific kind of traffic, the permission shall be understood generally, and the slave be at liberty to carry on any traffic that he pleases, and until such time as the master duly withdraws the permission; in withdrawing which, it is necessary that the master give public notice to some of the merchants and traders of the place: and the permission also ceases on the death of the grantor.

The slave thus licensed acts on his own account, and not by delegation from his master; the master is, therefore, not responsible

for any act done by the licensed slave, and the latter acquires the right of property, during his lifetime, in all that he gains over and above the stipulated sum due to the master in lieu of his labour as a slave. The licensed slave may lawfully perform all acts that relate to trade, such as buying and selling, entering into partnership or agency, renting houses or lands, &c.; but he cannot make a gift nor a loan: he cannot also manumit any of his slaves, nor marry. Thus he enjoys a certain degree of liberty; but he is still considered as the property of his master, who may at any time either enfranchise him or sell him, provided that he first satisfies the creditors for any debts which the licensed slave may have contracted. The latter, therefore, cannot be either the heir or legatee of any person; and his own property does not descend to his children, nor can he bequeath any part of it by testament. If he die unencumbered by debt, the whole of his property devolves on his master; and if he be in debt, the debts must be first liquidated, and the residue, if any, then goes to the master.

The Muhammedan jurists have expended a most unnecessary deal of trouble on the subject of slavery; for, besides the class of slaves just mentioned, there are two other descriptions, concerning which the laws are equally copious and minute. The one is a slave to whom his master has promised manumission after his death—and such a slave cannot be disposed of by gift or sale, or be the subject of inheritance or testament, but must be immediately manumitted on his master's death; but during his master's lifetime, he is in every other respect in exactly the same situation as the other slaves. The remaining class is that of slaves who have redeemed their freedom by the payment of a stipulated sum to their master. This payment may either take place at the time of agreement, or be subsequently liquidated by instalments, which is the mode recommended by Muhammedan jurists. In the former case the slave immediately becomes a freedman; and the master thus loses his right of possession in the person of the slave, but he still retains his right of property. The freedman cannot therefore be sold by his master, his actions are not subject to his master's control, and his gains are during his lifetime entirely his own. But he cannot be an heir nor a legatee, nor does his property descend to his children, nor can he bequeath it by testament. It devolves on either his creditors or his master. If the payment be deferred, the slave is in the same situation as that of a licensed slave, except that he is allowed a greater exemption from his master's control.

By these different means the situation of slaves is divested of many

of its hardships, and it therefore seems singular that their absolute manumission should have been left entirely to the option of the master; but so sacred has property been held by the Muhammedans, that, even after a slave has paid his legal value to his master, he does not obtain his entire freedom, as exemplified in the class last mentioned. Religion, however, supplies this defect, for manumission is held to be the most meritorious of acts, and the most certain means of obtaining the divine favour. In cases of unintentional homicide, and of vows which have been infringed or not carried into effect, the expiation is held to be the manumission of a slave, if in the power of the person who committed the homicide or made the vow. On a death-bed, also, the manumission of slaves soothes the dying moments of their masters; and in the course of their lives many occasions occur in which, in the fervour of piety, they testify their gratitude to heaven for success or preservation by the enfranchisement of a slave. The legal effect of manumission is the admission of the slave, if a Moslem, to all the rights and privileges of a Muhammedan. His previous bondage leaves no disgrace nor disabilities behind it; and the new freeman becomes immediately competent to give evidence, and eligible for office, even for that of *Kází*.

#### TRIBUTARIES AND ALIENS.

The preceding observations apply merely to the Muhammedans, for they have always held themselves perfectly distinct from the people who formed, in the countries conquered by them, the great mass of the population. War against infidels is the peculiar duty of every Moslem, but MUHAMMED soon saw that this tenet must be modified, and he therefore enjoined that all people who submitted to the Moslems and agreed to pay tribute, should receive protection and be maintained in the undisturbed possession of their goods, lands, and religion. *Respect tributaries* (said the prophet), *for they are entitled to the same rights and subject to the same laws as the Moslems*; according to law, therefore, tributaries possess entire liberty in the use and conveyance of their property, whether by gift, sale, contract, or inheritance; but, in conformity to the Muhammedan law, they cannot bequeath by testament more than one third of it: and in case of injury either to their persons or property, they are entitled to the same redress which a Moslem would receive. Thus, in all cases of damage or injury done by each other, tributaries might depend on the protection of the law; but, in the case of a Moslem, it is easy to suppose that they, despised on account of their religion and labouring under several civil disabilities, would find it difficult to obtain

impartial justice. "It is incumbent on the prince (observes the author of the *Hidāyah*) to make a distinction between the Moslem and the tributary in the garments, the caps, the animals on which he rides, and the saddles of each; and the tributary is always to wear round his waist, on the outside of his garments, a cord made of wool and of the thickness of the finger, and not a silken belt. The tributary is not to be allowed to ride on a horse, nor to make any use of arms. These distinctions are requisite in order that proper respect may be at all times paid to the true believer, and to prevent such respect being paid by mistake to an infidel; for an infidel is not entitled to any respect, and therefore he is never to be saluted first, nor is a Moslem ever to quit the road for him. The women, also, of tributaries must be distinguished from the women of Moslems, and precedence be always given to the latter either on the road or in the bath. The houses of tributaries should even be marked in order to prevent Moslem beggars from demanding alms from them and from praying for them." The jurists have, also, laid it down that a tributary shall not be allowed to ride, unless it is absolutely necessary, and that when mounted he must always alight on meeting a true believer. Degrading as these distinctions are, the tributary is still further exposed to the contempt of every true believer by his being held incompetent to give evidence against a Moslem, and ineligible to any office or situation which can give him the slightest degree of power or authority over a true believer.

At the time when the first Muhammedan jurists composed their works, the Moslems had scarcely secured themselves in their extensive conquests, and the greatest part of the conquered people remained still unconverted to the faith of Islām. Many distinctions were in consequence introduced into the law respecting tributaries and aliens, who were divided into two classes, namely, the subjects of a state with whom the Muhammedans were at peace, and those of a state with whom they were engaged in war. But it is not necessary to advert to these distinctions, for it is held that an alien who lives one year in a Muhammedan country becomes *ipso facto* a tributary; and that during his residence in it, with the consent of the prince or magistrate, he is entitled to the same privileges and protection, and labours under the same disabilities, as a tributary; the law holds that all those descriptions of persons who disbelieve the true faith constitute but one and the same class; they are all equally incompetent to give evidence against a Moslem and ineligible to office, and must submit to all the degrading distinctions which have been already enumerated.

## PART II.

## THE RIGHTS OF THINGS.

Amongst the Muhammedans no disquisitions into the origin of property have ever taken place, and their jurists hold that every person possesses the right of property in all things real or personal which he has acquired by gift, sale, or inheritance. Sir WILLIAM JONES's remarks on this subject are as forcible as they are correct:—"Unless I am greatly deceived (he observes) the work (the Sirajiyah) now presented to the public decides the question which has been started, Whether, by the Mogul constitution, the sovereign be not the sole proprietor of all the land in his empire, which he or his predecessors have not granted to a subject and his heirs? for nothing can be more certain than that land, rents, and goods, are, in the language of all Muhammedan lawyers, property alike alienable and inheritable; and so far is the sovereign from having any right of property in the goods or lands of his people, that even escheats are never appropriated to his use, but fall into a fund for the relief of the poor." After quoting several authorities, Sir WILLIAM continues:—"Now I am fully persuaded that no Musulman prince, in any age or country, would have harboured a thought of controverting these authorities—had the doctrine lately broached been suggested to the ferocious, but politic and religious Omar, he would in his best mood have asked his counsellor sternly, Whether he imagined himself wiser than God and his prophet? and, in one of his passionate sallies, would have spurned him from his presence had he been even his dearest friend or his ablest general; the placid and benevolent Ali would have given a harsh rebuke to such an adviser; and Aurungzib himself, the bloodiest of assassins and most avaricious of men, would not have adopted and proclaimed such an opinion, whatever his courtiers and slaves might have said in their zeal to aggrandize their master to a foreign physician and philosopher, who too hastily believed them, and ascribed to such a system all the desolation of which he had been a witness."

It will be evident that the opinion controverted by Sir W. JONES could never have arisen had a reference been made to the first principles of Muhammedan law; for it appears clearly from the Koran that the prophet, and consequently his successors, were not vested with any right of property in the goods or lands which the Muhammedans acquired by conquest—and *know* (says the Koran) *that whenever ye gain any spoils a fifth part thereof belongeth unto God and to the Apostle and his kindred, and orphans, and the poor, and*

*the traveller.* The remaining four-fifths were to be divided amongst the Muhammedans who had been engaged in the war; and each individual derived his right in the share which fell to him from the express command of God, and not from the will of the prince. This rule, however, at first applied merely to such spoils as were taken in battle, but as the Moslems extended their conquests it was considerably modified, at the same time that the principle was strictly preserved. The author of the *Hidáyah* lays it down, that if the prince conquer a country he is at liberty either to divide it amongst his soldiers in the manner prescribed by the prophet, or to leave it in the possession of the inhabitants on their agreeing to pay the capitation and land-taxes: in the latter case, the right of property also remains with the inhabitants. Whether, therefore, the lands of conquered countries continued in possession of the inhabitants, or were divided amongst the Muhammedans, the proprietors held them not as a grant of the prince, but as a free gift, which was liable neither to services of any kind nor to revocation.

This principle is fully exemplified in the laws relating to the cultivation of waste lands. According to Muhammedan jurists, such lands as are situated at such a distance from a village as the sound of the voice of a man calling out from it cannot be heard in them, and which yield no produce, and which have no owner, or the owner of them is unknown, are termed "dead," and the bringing them into cultivation is emphatically designated "the reviving of the dead;" but uncultivated land appertaining to cultivated land, such as pastures, roadways, &c. is not to be considered as waste. All Muhammedan jurists agree, that the person who first appropriates and cultivates waste land becomes *ipso facto* the lord of the soil. A difference of opinion, however, exists respecting whether or not such appropriation depends on the permission of the prince. ABÚ HANÍFAH maintains the affirmative, but MUHAMMED and ABÚ YÚSUF support the negative. It is at the same time universally held that the prince is at liberty to bestow such lands in gift; but the right of the prince to dispose of waste lands, or to permit their cultivation, in no manner affects the complete dominion in them with which the cultivator becomes vested.

From this view of the subject, it will appear that the distinction between real and personal property, and the various tenures introduced by the feudal system, can have no existence amongst the Muhammedans. They acknowledge no superior, and the law imposes no restraint on them, during their lives, in the alienation of their goods or lands; their jurists, therefore, justly designate what we call

property by an emphatical word implying *dominion*. This dominion can be acquired only in four ways—1st, By conquest ; 2d, By gift ; 3d, By sale ; and 4th, By inheritance.

1st. Of the first enough has been already said, and I shall therefore proceed to consider the laws relating to the other three.

2d. A gift is the act of transferring gratuitously the right and possession of goods or lands by the lawful proprietor of them to another person ; and the formalities requisite to render a gift valid, according to Muhammedan law, are the offer, the acceptance, and the delivery : the last is the essential requisite, for if the gift does not take effect by immediate delivery of possession, it is then properly not a gift but a contract : the donor cannot retract the gift, but, should he wish to resume it, he may lay his case before the *Kázi*, who is at liberty to cause it to be returned, should it appear to be illegal or prejudicial to the donor. The legal impediments to a gift arise from the definition of the term, for delivery being indispensable, a gift can consist of such things only as the donor can place in the immediate possession of the donee. Goods or lands, therefore, in expectation and not in possession, and a share in divisible property, cannot be conveyed in gift, for if the property be divisible the share must be previously realised ; but if it be impartible, the gift is valid on account of its not being an object which admits of delivery : in the same manner, the flour to be produced from grain, the oil from seed, the fleece on the back of the sheep, the fruit on trees, and such things, cannot be disposed of as gifts.<sup>1</sup> But it is left entirely to the equity of the *Kázi* to determine when a gift is so prejudicial to the donor as to authorize its being retracted.

3d. Sale is the exchanging of property for property, and it may consist either in a commutation of goods for goods, or in the transfer of goods for money. The Muhammedan law considers a sale as an agreement between the vendor and the vendee, and the conditions are left entirely to their option ; but as soon as they have testified their mutual consent by the delivery and receipt of the goods, the property in them is transferred to the vendee, and that of the price to the vendor. Either of the parties, however, may demand, within an hour after the bargain has been struck, that it shall be cancelled ; and if the goods are of value the parties may consent to a short delay, not exceeding three days, in order to determine whether they will adhere to the bargain or not. The goods sold must be the lawful property of

<sup>1</sup> To these impediments must of course be added lunacy, minority, and fraud or compulsion.

the vendor and in his actual possession ; for the sale of goods in expectation, or the property of another without his consent, is not valid.

4th. Inheritance is the succession of the children or relations of a person deceased to the property, real or personal, of which he dies possessed ; and as soon as it is divided amongst them in the manner prescribed by law they acquire complete dominion in the share which is allotted to them. The division of an estate amongst the legal heirs is the most intricate title of Muhammedan law, and I shall therefore refer to the tracts on this subject which have been published by Sir WILLIAM JONES. It may, however, be observed, that the right of primogeniture is unknown amongst the Muhammedans, and that the inheritance is consequently divided in certain proportions amongst all the children or other heirs ; that a wife, if there be no issue, receives a fourth, and if there be issue, an eighth ; and that a male receives as much as the share of two females.

But every free man of sound mind and arrived at years of discretion is at liberty to bequeath, by testament, one-third of his property without the consent of his heirs ; and in the case of his having bequeathed a larger proportion, the consent of the heirs is requisite in order to give validity to the bequest. Should they not consent, the third is to be divided amongst the different legatees in proportion to their respective bequests : thus, if the deceased bequeath to one person one-third, and to another one-sixth of his property, the legal third is to be divided into three shares, two of which shall be given to the former and one to the latter. If, however, the testator have no legal heirs, he may bequeath the whole of his property by his last will and testament : a legatee must not be one of the legal heirs of the testator, for in this case he would receive a larger share than that to which he is entitled by law ; nor a person guilty of homicide, nor a debtor of the deceased, unless he previously pay the debt due by him ; nor a slave. The legatee may either accept or refuse the bequest ; and, if he accept it, he immediately acquires in it the sole right of property.

As a testament cannot have effect until the death of the testator, he is allowed to appoint an executor for the purpose of executing his last will ; an executor must be a free Muhammedan, of sound mind, and arrived at the years of discretion. He may either accept or refuse the executorship ; but if he has once accepted it in the presence of the testator, he cannot either in his absence, or after his death, refuse to discharge the trust. Should he, however, find himself incapable of performing the duty, he may apply to the *Kázi* to be relieved from it, who will comply with his request if the reasons assigned be of

sufficient weight. The *Kází* may, also, deprive an executor of his executorship for malversation, or on a complaint of the heirs duly substantiated by evidence. The Muhammedan law considers an executor as the representative of the testator, and vests him with the same powers which the latter possessed in his lifetime : on the death, therefore, of the testator, the executor has the power of selling his property, and even his slaves, for the purpose of defraying his funeral expenses and legal debts : he also becomes intrusted with the property of the heirs, if minors ; and if majors, he superintends its division according to law and the testament of the deceased. If the executor divide the inheritance in the presence of the heirs, but in the absence of the legatees, and delivery of their shares be given to the heirs, the division is valid ; but, if the division take place in presence of the legatees, and in the absence of the heirs, such division is not valid ; and, in case of an inheritance being divided either by the executor or the *Kází* in the absence of a legatee, and the legatee dies, the bequest shall descend to his heirs. The executor is vested with complete power over the moveable property of minors and of majors when left in his hands after division of the inheritance, which he may exchange, sell, or improve in any manner that he thinks proper. This, however, is granted him for the preservation of such property as is liable to decay, and the price is more easily preserved than the article itself ; but as immovable property is imperishable, it cannot be aliened by the executor. In the event of an executor's death he may appoint another person to succeed him in the executorship. The check to prevent an executor abusing his trust is the authority of the magistrate, and more particularly the vigilance and interest of the relations and heirs of the testator.

The testator is at liberty to appoint more than one executor ; but in the case of joint executors a difference of opinion exists amongst Muhammedan jurists respecting whether any one of them can legally perform any act of executorship without the consent of the others. The most correct opinion, however, would seem to be that the consent of all is necessary, except in as far as regards the funeral of the deceased and the immediate furnishing of his family with necessaries, which acts may be performed by any one of the joint executors.

If a man dies intestate, his property may either be divided by the heirs amongst themselves, or the *Kází* may appoint an executor.

By the four preceding modes is acquired a sole and independent right in property ; but there is also an imperfect right in property, termed by BLACKSTONE property in *action*, which arises from contract, and which he has treated of in this part of his work. It will, however,

be better to defer a consideration of this subject until the next Part, in order that the Muhammedan law of contract, and the redress which it affords for breach of contract, may be explained at the same time.

### PART III.

#### PRIVATE WRONGS.

In treating of this part I must deviate considerably from BLACKSTONE'S arrangement; for, as I have before observed, there are not amongst the Muhammedans either forms of process or courts of justice which bear any resemblance to those of England: the *Kázi* is the sole magistrate and judge; and in almost every case, whether of private or public wrongs, the action originates in the *vivá voce* complaint of the injured person, and the cause is conducted by the parties themselves without the intervention of advocates. I shall, therefore, previous to proceeding to enumerate the different private wrongs known to the Muhammedan law, explain,—1st, The legal duties and qualifications of a *Kázi*; 2d, The form of process and trial; and 3d, The rules relating to evidence.

#### OF THE KÁZÍ.

The duties and qualifications of the *Kázi* are laid down so distinctly in the *Hidáyah*, and are so consonant with the soundest principles of justice, that I shall merely abridge the passage.

The office of *Kázi* can be executed only by a person who is free, of sound understanding, arrived at years of discretion, and competent to give evidence.

The prince ought to select for the office of *Kázi* a person who is distinguished by his learning, by his knowledge of the law and the traditions, by his rectitude and piety, and who is fully capable of performing all the duties of the office.

There is nothing to prevent a true believer from accepting the situation of *Kázi* if he believes that he is qualified for it; but, if he has any suspicion that he is not qualified, it is sinful in him to accept it, for oppression and injustice must be the consequence.

It is not proper that a true believer should either wish or ask for the office of *Kázi*.

A true believer may accept the office of *Kázi* under a usurper or tyrant, provided that he is permitted to discharge the duty according to law; but if he be ordered to act contrary to law, it is not allowable for him to accept it.

A *Kázi*, on entering into office, shall depute two agents to the

former *Kázi* to receive and make inquiries respecting all writings which may be in his possession, and respecting the state and progress of all causes determined or not determined ; but this inquiry being intended solely for the ends of justice, must not be converted to the injury of the former *Kázi*.

A *Kázi*, on entering into office, shall make an inquiry into the causes for which the prisoners have been confined : if the prisoners confess their offences, this is sufficient ; but if they deny them, and the former *Kázi* have no witnesses to prove the fact for which they were committed, the new *Kázi* shall not be in a hurry to liberate them, as it is to be presumed that the former *Kázi* would not have confined them without cause ; the new *Kázi* must, therefore, cause proclamation to be made that such a person the son of such a person is in prison, and that any one who has been injured by him shall come forward and support his complaint : if, after a sufficient delay, no prosecutor appear, the prisoner is to be released.

A *Kázi*, on entering into office, shall require an account of deposits from the former *Kázi*, and cause him to deliver all that may be in his own hands, or in the hands of his agents, or of trustees appointed by him.

A *Kázi* shall discharge his duties in a public place, free of access to every one, in order that there may be no suspicions of his rectitude ; but he is at liberty to use his own house for this purpose, provided that he give free access to every one.

Some persons should always be present with a *Kázi* when engaged in the duties of his office, in order to remove all doubts respecting the propriety of his conduct.

A *Kázi* shall not receive any gifts except from his nearest relations, or in return for gifts which he may have bestowed previous to his appointment ; but if the person who offers a gift be a party in a cause in process before the *Kázi*, he must not receive it.

A *Kázi* shall not accept an invitation to any entertainments made purposely for him, but he may accept other invitations ; nor shall he appear at an entertainment given by one of the parties in a cause before him unless the other party be also present.

When the parties in a cause are before him, a *Kázi* shall conduct himself in every respect with the strictest impartiality to each ; he must not speak privately to either of them, or make signs to him, or prompt or instruct him in the conducting of his cause, because such conduct renders his justice suspected, and at the same time discourages the other, who will at once give up his right when he suspects that the *Kázi* favours his adversary ; he must not even smile or laugh

towards one of them, because this will encourage him and discourage the other.

It is highly improper for a *Kázi* to lead or prompt a witness.

A *Kázi* ought not to decide on a cause when he is hungry, or thirsty, or angry, or after a full meal, for these circumstances disturb the judgment and impede reflection; and a young *Kázi* ought to satisfy his passion with his own wife previous to commencing his duties, in order that his attention may not be distracted by the women who may be in attendance.

A *Kázi* shall not try any cause in the absence of the party accused; and if he have appeared in the first instance, and afterwards absented himself before the determination of the cause, the *Kázi* shall not proceed to pass sentence; but in either of these cases if the representative of the party accused be present the cause shall be tried and decided. The Muhammedan law considers three descriptions of persons to be the representative of an absent defendant:—1st, An agent duly appointed by the defendant himself; 2d, A person so considered by law, as an executor is the representative of the testator; and 3d, A person so constituted by a decree of the *Kázi*; for if the thing claimed by the prosecutor be in the possession of a third person who is present, the last shall be obliged to become defendant in the cause.

A decision passed by a *Kázi* in favour of his father, or his mother, or his child, or his wife, is null and void; but a decision against these relations in favour of another person is valid.

A *Kázi* shall hold valid and give effect to the decree of another *Kázi* in all causes except when it is contrary to the Koran, to the traditions, or to established decisions.

A *Kázi* cannot appoint a deputy without the consent of the sovereign; but he may employ another person either in his presence, or in his absence, in the trial and decision of causes.

#### OF PROCESS AND TRIAL.

The author of the *Hidáyah* does not explain the rules by which the preliminary steps to the trial of a cause ought to be regulated; but, it may be observed, that in all civil and most criminal cases the person injured makes his complaint *viva voce* to the *Kázi*, and that it is the duty of the *Kázi* to enforce the appearance of the person accused. In a few criminal cases offenders are apprehended without complaint being made either by an order of the *Kázi*, or by the inferior officers of justice. It does not, however, appear whether the *Kázi* has the power of imprisoning the defendant in civil cases previous to trial, or of admitting him to bail; and the same remark applies

to misdemeanours: but the very expeditious manner in which all trials are decided would seem to render either of these expedients unnecessary. In all cases of crimes the offender is imprisoned as soon as he is apprehended, and cannot be admitted to bail.

If the *Kází* be of opinion that there are sufficient grounds for the complaint, he summons the defendant; and as soon as both the parties are in attendance he proceeds to the trial of the cause; the plaintiff must then state the specific nature of the wrong which he alleges that he has sustained, for without such specification it would be impossible for the defendant to disprove the plaint, for the witnesses to depose respecting it, and for the *Kází*, in case of its being duly substantiated, to award the requisite restitution or compensation: the *Kází* then inquires of the defendant whether he acknowledges or denies the plaint? The Muhammedan law attaches the utmost importance to the acknowledgment or confession of the defendant, which is in all cases, even in capital cases, conclusive, and renders all further proceedings unnecessary; but the confession must be entirely voluntary, and must not be extorted by violence or torture. If, however, the defendant denies the accusation, the plaintiff must support it by evidence; but should he not be able to adduce any evidence, he may require that an oath<sup>1</sup> shall be administered to the defendant.

A difference of opinion exists among the Muhammedan jurists respecting the circumstances under which a plaintiff may require the oath of the defendant; ABÚ YÚSUF and MUHAMMED hold that such oath is the right of the plaintiff, and that it must consequently be granted to him on his mere demand; but ABÚ HANÍFAH maintains that the right of the plaintiff is founded solely on his inability to adduce evidence, and that, unless such inability be established, the plaintiff is not entitled to demand the oath of the defendant. As this right of the plaintiff depends on a saying of the prophet *that it belongs to the plaintiff to demand an oath from the defendant*, it follows that an oath can never be required from a plaintiff,<sup>2</sup> nor from

<sup>1</sup> In the *Hidáyah*, it is laid down that an oath taken in any other manner than in the name of God is invalid. The *Kází* may either direct the person taking the oath to swear simply by God, or he may require him to add in corroboration of it some of the attributes of God; but no particular time or place is necessary in order to give validity to an oath. Unbelievers are to swear simply by God, in whose existence all people believe; but a Jew is to swear by saying, I swear by the God that revealed the Pentateuch to Moses; and a Christian by saying, I swear by the God that sent down the Gospel to Jesus.

<sup>2</sup> There is, however, an exception to this rule in all disputes that relate to buying and selling, for in these cases the oath must be tendered both to the vendor and vendee. This is, however, conformable to the most received definition of a

a defendant in cases where there is no plaintiff. A defendant may reject the oath in two ways, either by expressly saying, "I will not take an oath," or virtually by remaining silent when called upon to take it, provided that he is neither deaf nor dumb; in either of which cases the *Kāzī* shall immediately award a sentence in favour of the plaintiff.

If further proceeding be not barred by the confession of the defendant, or his rejection of the oath tendered to him, the plaintiff is required to support his case by evidence.

The Muhammedan law, at the same time, recognises as legal two modes of adjusting the claims and disputes which may arise between individuals without the intervention of the *Kāzī*, viz. *accord* and *arbitration*: *accord* is an agreement between individuals in consequence of which simple claims are released either for or without a valuable consideration, or property is exchanged for property, or a stipulated compensation is given for some damage or injury. The prophet declared that *accord* was the best method of settling disputes between Moslems, and the law therefore considers all compositions duly executed as valid, and a bar to all future claims.

*Arbitration* is where the parties injuring and injured choose two arbitrators and submit the matter in dispute to their decision. An arbitrator must not be a slave, an unbeliever, a minor, or infamous, or convicted of *kazf*. All matters may be submitted to arbitration except such as relate to the *lex talionis*, and to certain punishments prescribed by the Koran. The arbitrators are empowered to found their award on the confession of the defendant, or his rejection of an oath tendered to him, or on the evidence adduced by the plaintiff, because these are methods of ascertaining the truth which are permitted by the law. Either of the parties may recede from the arbitration previous to the award being given, but after it has been given it is binding on each of them, and is a bar to all future claims: if, however, either of the parties be not satisfied with the award, he may bring the case before the *Kāzī*, who shall examine into the grounds on which it was passed, and if he find it conformable to law he shall confirm it, but if it be illegal he shall rescind it.

#### OF EVIDENCE.

The following are the principal definitions of evidence, and rules relating to it, which are contained in the *Hidāyah*.<sup>1</sup>

defendant, "one who denies," as in such cases the vendor and vendee equally deny the claim made by each other, and consequently each is both plaintiff and defendant.

<sup>1</sup> I here merely abridge the different passages in order that the doctrine of the Muhammedan law on this important point may be the more clearly shewn. Mr.

It is incumbent on all persons, when required by a plaintiff, to give evidence, and not to conceal his knowledge of the matter in issue ; but testimony being the right of a plaintiff, the giving it depends on his request ; and therefore in cases where there is no plaintiff, it is left to the option of every person whether they will give evidence or not : it is at the same time held, that it is most laudable not to give evidence in such cases, but to conceal the faults of a brother Moslem, and to abstain from injuring his character, for the prophet has said,—*That it is most advisable for every person not to give evidence (except when required by a plaintiff), and that God will draw a veil over the sins of him who conceals the faults of his brother Moslem.*

Testimony is of two kinds ; 1st, Testimony relating to such things as of themselves convey a certainty of knowledge ; for instance, confession, sale, homicide, and the like ; for whoever hears a confession, or sees the delivery of an article sold, or the murder of a man, knows that such things have actually taken place, and may therefore give evidence respecting them ; 2dly, Testimony relating to such things as of themselves do not convey a certainty of knowledge ; for instance, facts given in evidence, because these may be either true or false, and therefore the person who merely hears such evidence cannot testify that these facts actually took place.

Testimony, therefore, cannot be given respecting any circumstance of which the witness does not possess a personal knowledge except in the case of birth, marriage, death, and the patent of *Kází* ; for though testimony depends on personal knowledge, yet in these cases the law admits of a deviation from the general principle on account of the privacy which generally attends such circumstances, and which do not therefore admit of their being attested in the usual manner. It is, however, requisite that such testimony should rest on common report, or on information received from two respectable men, or one man and two women.

As, however, accidents might often prevent the attendance of witnesses, and men be thus deprived of their rights, the law admits as valid the testimony of an absent witness, if proved by two other witnesses, in all cases in which the legal presumptions are not in favour of the party accused ;<sup>1</sup> but as this testimony is merely admitted

HAMILTON'S translation of this book, which, it must be admitted, is often very obscure in the original, does not appear to me to convey in many places the real meaning of the author, or to render it fully intelligible to the English reader.

<sup>1</sup> By this phrase is understood homicide and mayhem, and certain offences specifically mentioned in the Koran, which the law presumes that no Moslem would

from necessity, it must be established that the witness is either dead, or at the distance of three days' journey, or so sick as to be unable to appear before the *Kázi*.

[From this principle, that evidence is the testimony of a witness who possesses a personal knowledge of the points in issue, it necessarily follows that neither presumptive nor written evidence is admitted by the Muhammedan law; for were a decision to be passed in consequence of the first, it is evident that it would not rest on the testimony of witnesses to the very fact in issue, but on the inferences and conclusions of the *Kázi*. The presumptions arising from the several circumstances given in evidence may be of the strongest kind, but the Muhammedan law requires that the fact itself, if not confessed by the prisoner, shall be proved by two witnesses. It might, however, be supposed that as a bond or deed is the best evidence of the contract to which it relates, such a writing would be considered as evidence by the Muhammedan law; but the contrary would seem to be the case, as it is not mentioned in the *Hidáyah* as being a legal proof of contract.<sup>1</sup> The *Hidáyah*, at the same time, clearly shews, that all other writings, except the decrees of a *Kázi*, and his official letters in a few particular cases, are inadmissible as evidence.]

In all cases except adultery and criminal conversation, the number of witnesses required by law in proof of a plaint are two men, or one man and two women; but the evidence of women is admitted only when that of men cannot be procured, as it supplies but imperfectly the want of the latter; for it is held that evidence depends upon observation, memory, and a capability of communicating correctly what has been observed; and though women are in a certain degree capable of observing, remembering, and communicating, yet the credit due to the result is greatly invalidated by their inattention and forgetfulness. This defect is in some measure remedied by the testimony of two women, as the memory of the one may assist that of the other; but the evidence of women is always liable to doubt, and it is not therefore admitted in any case in which the legal presumptions are in favour of the party accused.

The evidence, however, of a single woman is sufficient to prove

commit, and therefore to substantiate them direct and positive proof is required in order to remove all doubts; but in misdemeanours and injuries against property, the law supposes that the frailty of man and self-interest might occasion even a Moslem to deviate from rectitude.

<sup>1</sup> The received opinion seems to be that a witness cannot give evidence to a writing, though signed by himself or in his hand-writing, unless he actually recollect the transaction to which it relates.

the birth of a child, and in cases where it may be necessary to inspect a woman ; but the evidence of more than one is preferable.

A difference of opinion exists among the jurists respecting whether or not a *Kāzī* is bound to make an inquiry into the character of the witnesses previous to receiving their evidence ? *ABŪ HANĪFAH* maintains the negative ; but *ABŪ YŪSUF* and *MUHAMMED* hold that the *Kāzī* is bound to make such an inquiry in all cases, and that it may be either made publicly or privately.

But all the jurists agree that if the defendant except to a witness the *Kāzī* must institute an inquiry into his character.

The following persons are incompetent to be witnesses.

Minors, unbelievers<sup>1</sup> (against Moslems), and slaves.

A father or grandfather in favour of his son or grandson ; a son or grandson in favour of his mother or grandmother ; and a husband in favour of his wife, or *vice versé* ; but testimony in favour of a brother or uncle is admissible.

A master in favour of his slave.

A partner in favour of his partner in a matter relative to their joint property ; but the testimony of partners in favour of each other in matters not relating to their joint property is admissible.

A person punished for the crime of *Kazf*.

Mourners for the dead, singers, gamesters, drunkards, and usurers.

Persons who have committed crimes, or who are guilty of degrading or immodest actions,<sup>2</sup> because whoever commits a prohibited act, or is not restrained by a sense of shame, gives rise to a suspicion that he will not refrain from falsehood.

If a defendant plead any of the preceding exceptions to the competency of a witness, and establish them by proof, they shall be held valid, and exclude the testimony of the witness ; but if a defendant accuse a witness of a transgression, not within the jurisdiction of the *Kāzī*, and offer to substantiate it by evidence, the *Kāzī* shall not listen to him, nor allow him to disclose circumstances to the prejudice of another's character, which do not relate to the cause under investigation.<sup>3</sup>

<sup>1</sup> But they may give evidence in favour of each other : *SHAFI'*, however, insists, that an unbeliever is unworthy of credit, and that he cannot therefore be a witness in any case.

<sup>2</sup> The examples given of these actions are making water or eating on the high road, and going naked into a bath.

<sup>3</sup> This is a perplexing passage, because, as it appears from the preceding rule, and will appear more clearly hereafter, there is no act whatever which is not subject to the inspection and animadversion of the *Kāzī*. I conceive, therefore, that the

If a defendant offer evidence to prove that the plaintiff has hired his witnesses, such evidence shall not be admitted, because the transaction does not affect either his person or property, and therefore he cannot found a plaint on it; but if the plaintiff held property of the defendant, and paid the hire of the witnesses from that property, the defendant would then have a case against the plaintiff, and by substantiating it incapacitate the plaintiff's witnesses.

If the holder of the property (*i. e.* the defendant) and the plaintiff both adduce evidence which proves the right of each to the property in issue, the evidence of the holder of the property shall be rejected.<sup>1</sup>

[Except in the case just mentioned, all the rules in the *Hidáyah* relate to the evidence adduced by the plaintiff; and it would seem therefore, and from its being held that testimony is the right of the plaintiff, that a defendant is not permitted in general to adduce any exculpatory evidence].

If the testimony of the witnesses does not apply to the specific matter in issue, and go to prove the plaint precisely as stated by the plaintiff, it shall be rejected.

The testimony of the witnesses must agree, both in meaning and words (as far as the latter relate to the wrong specified in the plaint), according to ABÚ HANÍFAH. If, therefore, one witness in a case of debt depose that the amount of the debt due is one thousand derhems, and the other witness depose that it is two thousand, no credit is to be given to either. ABÚ YÚSUF and MUHAMMED, however, hold, that in such a case the testimony is sufficient to prove the sum in which both the witnesses agree.

If witnesses, agreeing to the fact and the time, disagree with respect to the place, the testimony of all the witnesses must be rejected.

If a witness, before leaving court, and before the *Kází* has passed

true intention of this rule is, that a defendant shall not be allowed to accuse a witness of any other offence than such an one as renders him incompetent.

<sup>1</sup> The jurists of the Hanífa sect found this rule on a singular argument deduced from the definition of evidence; for they argue that possession is of itself a proof of the right, and that in such a case the right cannot be the subject of evidence, because evidence can only take place in cases where proof is required. But the right of the plaintiff is uncertain, and therefore susceptible of proof, consequently his evidence shall be admitted, and that of the defendant rejected. SHÁFI'í, however, argues more correctly, and maintains that as the evidence on both sides is equal, that of the defendant must be admitted, because the possession is a corroborative proof of his right to the property. This opinion, it may be observed, is most consonant with the principles of the Muhammedan law, which consider delivery of possession as an essential requisite in all transfers of property.

sentence, state that he has, from agitation or alarm, committed a mistake in his evidence, he shall be permitted to rectify it, and such mistake shall not affect his credibility; but he shall not be permitted to correct his evidence after having left the court, because there is then reason to suspect a collusion between him and the plaintiff.

A witness may retract his testimony publicly in presence of the *Kázi*, at any time before the *Kázi* has passed sentence; and in this case the witness is not liable to make compensation to the party against whom it was given: for on such retraction the *Kázi* must refrain from passing sentence, and therefore the party sustains no injury. If, on the contrary, the *Kázi* have passed a decree, and the witnesses afterwards retract their testimony, the decree is not thereby rendered void; and the witnesses are, in consequence, obliged to atone for the injury done by their false testimony.

ABÚ HANÍFAH has said that a false witness must be publicly exposed throughout the town with a notification of his offence, but that he is not to suffer any other punishment; but ABÚ YÚSUF and MUHAMMED hold, that he is to be whipped and imprisoned at the discretion of the *Kázi*; and SHÁFI'Í is of the same opinion.

#### PRIVATE WRONGS.

I have before observed that the Muhammedan law makes no distinction between real and personal property, the use and conveyance of each being governed by the same rules; but it draws a marked distinction between injuries to the person and injuries to property: for the first are held to be public wrongs, and are therefore restrained by the personal punishment of the offender. I shall, therefore, defer a consideration of these offences to the next part, and confine myself at present to such injuries to private property, not amounting to crimes, as are taken notice of by the Muhammedan law; and which may be divided into the non-performance of contracts, the unjust partition of joint property, and dispossession.

#### CONTRACT.<sup>1</sup>

Contracts may be divided, for the sake of perspicuity, into three

<sup>1</sup> In using the word contract, it may be necessary to observe that the Muhammedan law considers a contract according to the definition of the civil, and not of the English law; and that consequently this observation of BLACKSTONE does not apply to it, a "*nudum pactum*, or agreement to do or pay any thing on one side, without any compensation on the other, is totally void in law." For, according to the Muhammedan law, a contract may be either with or without a valuable consideration.

kinds; such as relate, I. To persons; II. To goods and money; and III. To houses and lands.

I. Hiring is a contract from which the parties to the agreement derive a reciprocal advantage;<sup>1</sup> and to render it valid, it is requisite that the particular thing to be done, and the consideration to be received, should be distinctly specified. A consideration of some sort is indispensable; and it may consist of any thing which it is lawful to buy and sell. The persons hired are divided into two classes; those that are hired by the public at large, and those that are hired by individuals.

With regard to the first, such as bakers, tailors, washermen, &c. if an article delivered to any one of them perish while in his possession, ABÚ HANÍFAH is of opinion that he is not responsible for it; but ABÚ YÚSUF and MUHAMMED hold that he is responsible, unless it was destroyed by an accident which it was not in his power to prevent: for if the article bailed be lost or destroyed from any cause, such as theft or dispossession, which might have been avoided by ordinary care, it proves the negligence of the bailee, and he shall therefore be answerable; but if it be lost from an unavoidable cause, such as fire or violence, he cannot be accused of negligence, and is therefore exempt from responsibility. It is also held that the person hired is responsible for the loss, damage, or destruction of goods, which may have been delivered to him for the purpose of being worked up, or conveyed from one place to another; for instance, if a tailor destroy the cloth which has been intrusted to him, or a porter or beast of burden let their loads fall and destroy the goods contained in them, or a boat sink from the mismanagement of the boatman. The person hired is not entitled to his hire until he has finished the work or service contracted for, unless a specific agreement be made to that effect; and in all disputes between the bailer and bailee, with respect to the terms of the bailment, the affirmation of the bailer is to be credited if he confirm it by his oath: for in this case he is virtually the defendant, as he denies the claim of the bailee. If the bailer take the oath, the dispute is then to be decided in his favour.

Persons hired by individuals are such as contract, for a valuable consideration, with a particular person, to serve him, and no one else for a specific period, and in such kind of service as is agreed upon. As this contract does not depend on the exact performance of a parti-

<sup>1</sup> Mr. HAMILTON has improperly introduced the term usufruct into this definition; for though it applies to several of the transactions included by the Muhammedan law under the title of hiring, it will not apply to all; for it cannot be said that a workman has an usufruct in his work.

cular thing, the person hired is entitled to the stipulated consideration for the period contracted, whatever may be the manner<sup>1</sup> in which he serves the hirer. If also an article be lost while in his hands, whether by an act of others, or by an act of his own, he is not responsible for it; because, in the first case, it was placed in his hands by the owner himself, and therefore must be considered the same as a deposit: and in the latter case, the hirer's intrusting him with it is tantamount to his giving him a power over it; and, consequently, the servant becomes the deputy of his master, and as such his acts are held to be the acts of the hirer.

II. Contracts relating to goods and money are of seven kinds:—

1. Deposit; 2. Pledge; 3. Sale; 4. Partnership; 5. Loan; 6. Commission; and 7. Caution.

1. A deposit is considered the same as a trust; and if, therefore, it be lost, damaged, or destroyed, the depositary is not responsible provided that he takes the same care of it as he does of his own property, and that the loss does not proceed from an unlawful act on his part, or from fraud. He may, therefore, intrust the care of it to his family or servants without responsibility; but if he place it with a third person, or in a warehouse or other place of security belonging to a third person, he becomes responsible for it. In the same manner, if the depositary be obliged to take a journey, and be accompanied in it by his family, he incurs no responsibility if the deposit be lost; but if the journey be not necessary, and he be not accompanied by his family, he becomes responsible, because he ought to have left the deposit with his family. If, also, he does not adhere to the terms prescribed by the depositor on giving him charge of the deposit, if any be prescribed, he is answerable for it. In case the deposit becomes mixed with property of the depositary, so as to render it difficult to separate one from the other, whether it be similar things with similar, such as milk with milk, or wheat with wheat, or dissimilar things with dissimilar, such as oil of sesaman with oil of olives, or wheat with barley, ABÚ HANÍFAH is of opinion that the deposit is destroyed, and that the depositary is therefore answerable for it; but ABÚ YÚSUF and MUHAMMED hold, that in the first of these cases the destruction is merely apparent and not real, and that, consequently, it shall be left to the option of the depositor whether he will receive a part of the things mixed as his deposit, or a compensation in lieu. In the other case the destruction is both apparent and real; and, therefore, the depositary becomes responsible. If,

<sup>1</sup> That is, whether diligently or negligently.

however, the deposit and the property of the depositary become mixed from any accident, not attributable to fraud on his part, he is not responsible.

The unlawful acts which render a depositary responsible for a deposit, are the converting it to his own use, or to the use of a third person, and the refusing to deliver it, or denying that it was intrusted to his charge, when duly demanded by the depositor. In the first of these cases it is held, that the responsibility ceases whenever the depositary ceases to make use of the deposit, provided that it remain in exactly the same state in which it was delivered to him. In the other case the depositary continues answerable as long as he unlawfully detains the deposit. If, however, two or more persons make a joint deposit, it is held that the depositary is not obliged to return it unless it be demanded jointly by the depositors; but if the deposit be divisible, he is at liberty to give each of them, on demand, his share of the deposit.

2. The validity of a contract of pledge depends on the agreement of the parties, and on the delivery of the pledge into the possession of the pawnee. Nothing, therefore, can be a pledge but what admits of delivery; and until delivery has actually taken place, the contract is not considered to be executed, and either of the parties may therefore recede from it. But as soon as the pledge is placed in possession of the pawnee, he becomes responsible to the amount of the debt *in all cases* for its safe preservation.<sup>1</sup> The law also specifically restricts him from making use of the pledge in any way, either by residence, service, or clothing, from hiring and lending it, and from selling it without the consent of the pawner; if, therefore, the pledge be lost or destroyed, its value estimated at the lowest price of the article when pledged is considered as a set-off to the debt due to the pawnee. Should the one be equivalent to the other, the pawnee loses all further claim on the pawner; but if the value of the pledge be less than the debt, the balance must be paid by the pawner; and in case of the value of the pledge exceeding the debt, the excess remaining in the hands of the pawnee is held to be the same as a deposit, and subject to the same degree of responsibility.

A pledge does not bar an action of debt; and the pawnee may therefore bring a plaint before the *Kázi*, and require the payment of the debt, or the imprisonment of the debtor: in this case the pledge must be produced.

<sup>1</sup> *SHÁFI* dissents from this opinion, and holds that a pledge is the same as a deposit, and that the pawnee is therefore not answerable for it.

3. I have already mentioned the general nature of sale ; but there are a few particular circumstances relating to the contract which it may be necessary to notice. The Muhammedan law considers, as a general principle, that delivery of possession is an essential requisite in the transfer of property ; but necessity has occasioned a deviation from this principle in buying and selling, and the law therefore permits sales to take place without delivery of either the article sold or the price. A *chose in action* is thus created, the right to which depends chiefly on the agreement made between the vendor and the vendee ; for if the vendor propose a delay previous to finally concluding the bargain, and the vendee agree to this condition, the right in the goods sold remains during the time agreed upon in the vendor ; and should they continue in his possession, and be either lost or damaged, the contract of sale is *ipso facto* annulled, and the vendee is not liable for the price. But if the goods have been delivered to the vendee, he is not allowed to use them ; and should they, while in his possession, be lost or damaged, he is responsible for the value : but if the vendee has proposed the delay, he is liable for the price. In all such cases of conditional sale, if the stipulated period expire without either the vendor or vendee making any objection, the bargain is held to be concluded ; but if the party, by whom the sale or purchase was made conditionally, wish to annul the bargain, he must give notice of his intention to the other party previous to the expiration of the stipulated period : for if the term expire without such notification, the bargain is considered to be concluded. In the same manner the price may be either delivered on receipt of the goods, or it may be paid in advance, or after a certain time : in the two last cases it becomes a debt due either by the vendor or vendee. The law requires, that in all sales in which the instant delivery of the goods and price does not take place, the quantity and quality of the goods, and the time of delivery, and the amount of the price, and the date on which it becomes due, should be clearly defined and specified, in order to prevent all future disputes.

But the law, at the same time, permits the vendee to return to the vendor all goods which may prove defective, either in the quantity or quality agreed upon, and to demand back the price ; nor does it limit this option to any specific time after delivery, as the goods may be returned at any time after the purchase, provided that they remain in the same state as when delivered. In the case, however, of goods ordered from a manufacturer or workman, for which the price has been advanced either in whole or in part, a difference of opinion exists amongst the Muhammedan jurists, respecting whether or not the per-

son who orders them has the liberty of rejecting them, should they prove defective either in measure, quantity, or quality. ABÚ HANÍFAH is of opinion, that both the orderer and the manufacturer have the option of performing or not performing this agreement; ABÚ YÚSUF, that neither of them has any option, and that therefore the manufacturer must deliver the goods, and the orderer must receive them. But the most correct opinion is that of MUHAMMED, which is, that whosoever orders any goods has the option of taking or rejecting them in case of defect; that the manufacturer has no option, but must deliver them if required; and that he is not entitled to the price of the goods if they be rejected.

4. Partnership is of three kinds : 1. Where two or more persons agree to join their property together, but not for the purpose of commerce. In this kind of partnership the partners are not responsible for the acts of each other, as they are still considered in law as separate persons; nor can one partner perform any act with respect to the shares of the other partners without their permission. Each partner thus retains a distinct right in his own share, and he may therefore convey it in any manner he pleases. 2. Where two or more free persons of years of discretion, professing the same religion, and possessing an equality of property, agree to join their monied capitals<sup>1</sup> together on condition, which condition must be expressly stipulated in the contract, of reciprocal responsibility. By such a contract the partners become bound in law, both as the agent and the security of each other; all legal acts of the one are therefore binding on the other, and each of the partners is responsible for the debts which may be contracted, on whatever account, by the others. Whatever also is purchased must be equally participated, except clothes and articles of food; but the vendor may claim the price of these from any one of the partners. In case the capital of any of the partners becomes increased, either by legacy or inheritance, the partnership is *ipso facto* dissolved. 3. Partnership in commerce, which may take place either between

<sup>1</sup> I must acknowledge that I do not clearly understand the distinction drawn by the Muhammedan jurists between a capital consisting of cash and one consisting of stock, on which several rules and much subtle reasoning are founded. The following is one of their arguments, which I give in Mr. HAMILTON's words:—"If a contract of reciprocity in goods and effects were held to be legal (as maintained by MÁLIK), it would necessarily induce a profit upon a property concerning which there is no responsibility; because upon each partner in reciprocity selling his own particular capital (consisting of goods and effects), if the goods of one partner produce a greater price than the goods of the other, the excess of profit upon the goods of the former would be due to the latter; and this would be a profit from property for which the person who gains by it is not responsible, and in which he has no right:

merchants or artificers. This is a contract between two or more individuals, by which they agree to join their property together in order to form a joint stock, for the purpose of trading in some one particular article, or of trading in general. This contract may even take place when the parties have no property of their own, and therefore raise their capital and carry on their trade at first on credit. It is not requisite that either the capital or the share of the profits of each partner should be equal, nor that each partner should contribute the whole of his property to the joint stock. By this contract each partner is considered in law to be the agent, but not the security of the other partner: all acts, therefore, relating *bond fide* to the partnership, and all debts incurred on account of the partnership, are binding on all and each of the partners; but in case of debt, the action must be brought against the partner individually who purchased the goods or received the loan; for if the other partners deny that the debt was incurred on account of the partnership, the partner incurring it is alone responsible, and the creditor is to be satisfied from that partner's property, should he possess any independent of the joint stock, or if not, from his share of the joint stock. The partners, also, are not individually or jointly responsible any further than the amount of the joint stock, and their separate property cannot be affected by the debts of the partnership. When the partnership is between the artificers, all the partners are responsible for the work which has been contracted for with any one of them; and the employers may require the performance of it from any of the partners, and any of the partners may demand the price of it from the employer.

5. Loan is the gratuitous transfer of property, either transiently or absolutely, by one person to another, and is divided into loan for use, and loan for consumption. In the first case, the borrower is subject to the same degree of responsibility as a depositary; and if therefore the thing borrowed be lost or damaged, whether while in

because in this instance the contract is connected with actual goods, and not with the semblance of them, such as debts; and the goods are a trust in the hands of each partner respectively: whence it is evident that a profit is induced upon property, concerning which there is no responsibility. It is otherwise with cash; because whatever either partner may purchase with the capital stock, consisting of cash, the purchase thereof is not connected with the actual capital, but with its semblance, namely debt (since the price of it is a debt). Now, the purchase being connected with the semblance of the capital (namely, debt), and the other partner being also liable to be called upon for it (as a contract of reciprocity involves mutual bail), it follows that the consequence objected is not induced, since this is a property in which there is responsibility."

use or not in use, by any fraud or culpable act on his part, he is answerable for it. The lender may require it to be returned whenever he pleases, and the borrower must be at the expense of restoring it to the lender; and should he send it by a third person, and it be lost or damaged, he is responsible; but should he send it either by his own, or the lender's servant or slave, he is not answerable. A loan of consumption consists of coined money, and of such things as admit of being counted, weighed, or measured; and in such things the absolute property is immediately, on delivery, transferred to the borrower, who becomes answerable for them in all cases, and must return on demand, or at the time stipulated, an equivalent exactly similar in quality and quantity.

Discussions have taken place among the Muhammedan jurists, not only respecting whether any recompense should be received for loans, but even respecting how far it was lawful to derive any profit from sales. Their arguments, in consequence, apply to both these points, so very dissimilar in themselves, and are therefore extremely perplexed and unsatisfactory; but had they merely referred to the principles of their own law, it would have saved them much useless disquisition: for the prophet expressly prohibits the taking of any recompense for the exchange of things exactly equal in kind and value, or for the gratuitous transfer of property whether transient or absolute; but he permits the person who purchases things for the purpose of reselling them, in case of his expending any labour in bringing them to market, or of his increasing their value by the addition of any work or property of his own, to receive a suitable recompense, in an enhanced price, for such labour and property.

6. Commission is of two kinds, either without or with compensation; with regard to the first it is laid down in the *Hidāyah*, that whatever act a man may himself lawfully perform, such as buying and selling, marriage, and the like, he may also lawfully perform by the means of another person, because men are sometimes unable to act for themselves from various accidents, or from want of knowledge, or conversancy in worldly affairs: but though all the Muhammedan jurists agree that an agent may be appointed for the conducting a legal process either on the part of the plaintiff or defendant, yet a difference of opinion exists among them respecting whether such an appointment depends on the absence of the party, and on the consent of the opposite party, and whether it can take place in a case of homicide, mayhem, or where the offence incurs personal punishment. The most received opinion, however, is, that none of these circumstances constitute a legal impediment to the appointment; but it is,

at the same time, held, that the confession of an agent in a legal process does not affect his principal. The validity of a contract of commission depends on the principal having lawfully the power both of performing the acts which he orders, and also of appointing an agent; and on the person appointed being legally competent to execute the agency, that is, of sound understanding, and neither a minor, nor a lunatic, nor a slave. The commission may either be special, that is, restricted to a particular transaction or a particular time; or absolute, that is, giving the agent a general power to act in all affairs for the principal.

The obligations in law resulting from this contract are twofold; the first, that the agent is responsible for all acts done by him on account of his principal which do not relate to the principal personally; and the other, that he is not answerable for acts which affect the principal personally; for instance, in sale, contract, and the like, the agent concludes such transactions in his own name, and in case of any dispute arising, the action must be brought against the agent and not the principal; but in cases of marriage, divorce for a valuable consideration, and the redemption of blood, the name of the principal is alone used, and he alone is responsible; at the same time the acts of the agent are binding on the principal, provided that he does not act contrary to his instructions, and the principal must in consequence make good to the agent whatever loss or expense he may *bond fide* incur in the course of the agency: the agent also may detain any thing which he has purchased for the principal until he pays the price of it; but should the thing while so detained be either damaged or lost, the principal is not obliged to pay for it. This contract may be dissolved whenever the principal pleases, but he must give due notice to the agent; and it legally ceases in the case of the death, the lunacy, or the apostasy, of either the principal or the agent.

Commission with compensation is where one person delivers to another a certain capital for the purpose of trading and intrusts him with the management of it, on condition of receiving a stipulated share of the profits. This capital is considered by the law as a deposit, and the factor is liable to the same responsibility as a depositary. Unconditional contracts of commission of this kind are not restricted as to time, place, or other circumstances; and the factor is therefore at liberty to manage the capital in any manner that he thinks proper, excepting that he cannot lend it, nor, without the consent of his principal, intrust the management of it to another person; but the principal may prescribe conditions, and should the factor infringe them he becomes responsible for the capital. The principal

may dismiss the factor whenever he pleases, but all acts of the factor are valid until he receives due notice of his dismissal. During the continuance of the contract all expenses incurred *bonâ fide* for management, and all losses, are to be deducted from the profits and not from the capital; on its being dissolved the factor must, previous to rendering a final account of his management, recover all debts that may be due; and should it then appear that any part of the capital is lost, the loss falls on the principal and not on the factor, who is merely a depositary.

7. Caution,<sup>1</sup> which is of two kinds, caution for the personal appearance of another, and caution for property. With regard to the first a material difference of opinion exists among the Muhammedan jurists, as some of them hold that such caution is unlawful, because a man shall not render himself responsible for an act the performance of which does not depend on himself; but the received opinion is, that it is lawful, because, though the cautionary may not be able to produce the cautioner, he is still able to give the *Kâzî* such information as may enable him to take the necessary steps for his apprehension. It is also disputed whether such caution is lawful in cases of homicide, mayhem, and offences incurring personal punishment: this, however, seems to be merely a verbal dispute, for all jurists agree, that in these cases caution for personal appearance previous to trial and conviction is not lawful, and that substitutes are not admitted in cases of personal punishment. It must hence be evident, that though in theory caution for personal appearance may be lawful, yet in practice no case is likely to occur in which it can take place;<sup>2</sup> because as soon as an offender is convicted he immediately receives the punishment awarded, or, in cases of homicide and mayhem, redeems his person by becoming responsible for a certain sum of money, or a certain quantity of property. This fine, in consequence, immediately becomes a debt, and the cautionary becomes, of course, a security for property and not for personal appearance. If, however, security for personal appearance be taken, the cautionary is bound to produce the cautioner on the day fixed, and to place him either in the hands of the plaintiff or of the *Kâzî*: should he fail in the

<sup>1</sup> I prefer employing the unusual words, caution for this kind of security, cautionary for him who gives it, and cautioner for him on whose account it is given, rather than the term bail used by Mr. HAMILTON; because, as it will be observed, this security does not correspond with the English law definitions either of bail or recognisance.

<sup>2</sup> A creditor, of course, would always prefer to receive security for the debt rather than caution for the personal appearance of the debtor.

performance of his engagement, the *Kázi* is to allow him a sufficient delay for the purpose of producing the cautioner, and then if the cautionary be still unable to fulfil his engagement, he is to be imprisoned at the discretion of the *Kázi*. When either the cautionary or the cautioner dies, the caution becomes null and void; but the disappearance of the cautioner does not release the cautionary from his engagement.

All jurists, however, hold that caution for property is lawful, and that it may be taken either for a specific debt, or for property not delivered at the time of concluding the contract for its transfer. In such cases the creditor or purchaser is at liberty to make his claim either against the cautioner or cautionary, and if the former satisfy the claim, the latter is released from his engagement; but if the cautioner be unable to satisfy the claim, the cautionary is held responsible for it, and is considered in law to be in exactly the same situation as a debtor; but if the claim be made at first against the cautionary, and he satisfy it, the cautioner becomes bound to him for the amount. Caution for property is not dissolved by the death of the parties, and the heirs or executors of the creditor may therefore demand the debt from the cautioner or cautionary, or from their heirs.

III. Contracts relating to houses and lands. With respect to the first the contract may either be of sale, which is subject to the same rules as govern the sale of other things, or of hiring. In the latter case, the tenant concluding the contract is bound for the rent though he should not reside in the house; but if a person hire a house and then discover a defect in it, he is at liberty to dissolve the contract, unless the lessor repairs the defect. If, also, the house fall to decay the contract is dissolved. It is, likewise, held, that if the lessor become involved in debt to such an amount that it cannot be liquidated except by the sale of a house which he has let, the *Kázi* must dissolve the contract and direct the house to be sold. If the manner of paying the rent be not specified in the contract, the lessor may demand it day by day.

The validity of a contract affecting land depends on the following conditions:—1. That the land be capable of cultivation; 2. That the contracting parties be of sound understanding and of years of discretion; 3. That the terms of the contract, and the period for which it is to endure, be clearly specified; 4. That it be expressly stipulated which of the parties is to furnish the seed, in order that it may be known to which of them the produce is to be ascribed; 5. That the share of the party who does not furnish the seed be expressly stipu-

lated ; 6. That the particular kind of seed which is to be sown be expressly stipulated ; 7. That the landholder deliver the land to the cultivator, and intrust him with the sole management of it ; and 8. That the landholder and cultivator divide between them the produce of the land. The validity of the contract must also depend on one of the four following conditions :—1. The one party may contract to furnish the land and the seed, and the other party the labour and the cattle ; 2. One party may furnish the land only, and the other the labour, the seed, and the cattle ; 3. One party may furnish the land, the seed, and the cattle, and the other labour only ; or, 4. One party may furnish the land and the cattle, and the other the seed and the labour. But if an agreement be made that one party shall furnish the land, the cattle, and the labour, and the other the seed only, or that one party shall furnish the land and the labour, and the other the seed and the cattle, the contract is not valid. The contract is also invalid if its terms depend on a contingency, for instance, on a certain number of measures of grain, for it is possible that the land may not produce so many.

In all cases when the contract is valid, the produce of the land is the joint property of the contracting parties, and is to be divided into such shares as have been agreed upon, as a half, a third, or the like ; but if the land produce nothing, then the cultivator is not entitled to any thing, because, according to the terms of the contract, he is entitled only to a share of the produce. When, however, the contract proves invalid, the crop belongs to the party who furnished the seed ; if this be the landholder he is bound to pay a suitable hire to the cultivator for his labour, which is not to exceed the profit that he would have derived from the contract had it been valid ; and if the seed have been supplied by the cultivator, he is bound to pay, under the same restriction, a suitable rent to the landholder for the use of the land. Every agricultural operation previous to the grain being ripe falls upon the cultivator ; and every subsequent operation, until it is finally divided between them, falls equally on the cultivator and the landholder. After partition the partnership is severed, and each of the parties manages his share at his own expense.

After concluding a contract of cultivation, if the party who is to furnish the seed refuses to fulfil his engagement, the *Kází* must not compel him to adhere to it ; but if the party who is not to supply the seed retracts, the *Kází* may compel him to execute the terms of the contract. It is, at the same time, lawful for the landholder to sell the land, the subject of the contract, in case of debt ; and, should the crop not have appeared above ground, the cultivator is not entitled to

any recompense for his labour in having tilled it ; but if the crop have appeared above ground the sale must be deferred until it is reaped. The contract, also, is legally dissolved by the death of either of the parties ; and if this take place previous to the crop appearing above ground, the contract ceases at once, but otherwise it does not cease until the crop has been reaped.

It is equally lawful to contract with another person for the cultivation of fruit-trees, vines, herbs, and roots ; and, the same rules with respect to the profits, the expenses of cultivation, and the dissolution of the agreement, apply to this contract as have just been mentioned.

Leases of land are considered by the Muhammedan law as contracts of hiring, and the same general principles are therefore applicable to each. The term of the lease, the rent, and the particular purpose for which the land is leased, must be clearly specified in order to render the contract valid ; but it is not necessary to specify the road leading to the land and the water, because these are inseparable from the use of the land. The particular kind of cultivation must even form part of the terms of agreement, for some modes of tillage are injurious to the land, and some are not so. If, therefore, a person hire land on condition of cultivating wheat, and he sow therein grass or grain, which impoverishes the soil more than wheat, he acts contrary to his agreement and is therefore answerable ; the lessor, consequently, may claim a compensation for the injury, but if he adopt this remedy he is not entitled to rent, because the lessee is in the situation of a dispossessor. Should a person hire land for the purpose of building or planting, he must, at the expiration of the lease, remove his buildings and trees, unless the land is liable to sustain an injury from the removal, in which case the landholder is at liberty to give an equivalent, and to appropriate the buildings and trees without the lessee's consent, or unless the landholder purchases them or allows them to remain on his land : it is otherwise when land is hired for the purpose of tillage, and the term of the lease expires before the grain is ripe, for in such case the grain must be allowed to remain on the land, at a suitable rent, until it be fit for reaping.

Land not being held of a superior, or subject to services of any kind, is sold exactly in the same manner as any other thing. It may, however, be observed, that in the sale of land the trees upon it are included, though not specified, because they are joined to it ; but grain and fruit on the trees are not included unless expressly specified : the seller, however, must clear them away immediately whether they be ripe or unripe, unless he makes a particular agreement with the purchaser for their continuance on the land.

The preceding are all the kinds of contract known to the Muhammedan law.

#### UNJUST PARTITION OF JOINT PROPERTY.

The partition of joint property may be enforced by the *Kází*, and it is therefore incumbent on him to appoint persons just, upright, and conversant in the business, for the discharge of this duty. This being a benefit which extends to all Moslems, the subsistence and expenses of partitioners ought to be defrayed from the public treasury, for the public treasury is the common property of the true believers; but should any circumstances prevent their receiving a public salary, the partitioners shall be paid by the sharers in the property which they divide, and the *Kází* must fix exactly the fees to which they are entitled, in order that all unjust demands may be repressed. A public salary, however, is preferable, because it removes all suspicion of partiality or corruption. The *Kází*, also, must not always appoint the same person or persons to make partition, nor allow the partitioners to enter into a monopoly, for in either of these cases it would enable the individual or individuals to demand an exorbitant and illegal compensation for their services.

It is, at the same time, lawful for the joint-tenants to divide the joint-property amicably amongst themselves, and after such partition no one of them is at liberty to complain of error in the share allotted to him; but, when the partition has been made by the authority of the *Kází*, any of the joint-tenants may prefer a complaint in case of sustaining an injury either from the negligence or the fraud of the partitioners. The *Kází* may, in all cases wherein the joint-property consists of similar things, or of things which are after partition capable of being converted to use, on the petition of any one of the joint-tenants, direct the property to be divided; but in all cases wherein the property consists of dissimilar things, such as camels and goats, rubies and diamonds, and the like, or where the partition of the property will either diminish its value or render it useless, the *Kází* cannot order it to be divided unless all the joint-tenants consent. In the case of houses, however, though they are impartible, yet a particular share in the entire house shall be assigned to each of the joint-tenants; and in the case of fixtures on land, the tenant in whose lot these are included must give to the other tenants an equivalent in money.

In dividing joint-property the partitioners must carefully ascertain its quantity or extent, and its precise value; he must next divide it into proportions equal to the smallest share: thus, if an estate is to be

divided between two heirs, the one a son and the other a daughter, the estate must be divided into three shares, the son being entitled to two, and the daughter to one; the partitioner is then to write their names upon billets, and to cause them to be drawn like lots. Should the son's come up first he takes the two first shares, and the daughter the third; and if the daughter's name come up first she gets the first share, and the son the second and third. This mode of determining the shares by lots is recommended in order to give satisfaction to the parties, and to prevent the effects of partiality or corruption on the part of the partitioner; but it is not legally necessary, and if, therefore, the partitioner assign a particular share to each joint-tenant the partition is valid. In all cases after partition, if any part of the joint-property prove to be the right of another person the partition becomes null and void, and the tenant affected may either accept an equivalent from the other tenants, or demand that the residue shall be divided again.

With regard to joint-tenancy in property which is impartible, there is nothing laid down distinctly in the *Hidāyah*. It would seem, however, that the manner in which it is to be used depends on the mutual agreement of the joint-tenants, and that the authority of the *Kāzī* is restricted to the compelling them to enter into such an agreement, and the enforcing the due performance of its terms.

#### DISPOSSESSION.

Dispossession is the depriving another without his consent of the possession of a thing which belongs in right to him. In this case the dispossessor becomes, immediately on taking the property, responsible for it; and if it be damaged or lost, whether by an act of his own or the act of another, he is bound to give a compensation for it equal to its value on the day when it was taken: but, if possible, it is requisite that the identical thing taken be restored by the dispossessor; and if, therefore, on a complaint being made, he cannot prove to the satisfaction of the *Kāzī* that it no longer exists in its original state, the *Kāzī* must imprison him until he produces it, or until he proves that it is not in his power to produce it: when, however, the thing taken has been changed, the right in it becomes vested in the dispossessor, and the proprietor is then only entitled to a compensation. But, as no agricultural operation can alter land substantially, if a dispossessor plant trees on the land of another, or erect houses on it, he is bound to remove such trees and houses, and to restore the land in its former state to the proprietor. In this case the trees and houses are allowed to be removed because they are the property of the dis-

possessor, and because the proprietor is not entitled to any compensation, as he receives back his land uninjured. Should, however, land be damaged by such an act, or by the manner in which it has been cultivated by a dispossessor, the proprietor is entitled to compensation. The same rule applies to houses, for if they be restored in their original state the dispossessor is not subject to the payment of any compensation; but if the houses, the fixtures, or furniture, be damaged, he becomes answerable. The dispossessor, however, is not responsible for the produce or the profits arising from the thing taken; and these, therefore, being unjustly acquired, the Muhammedan jurists recommend to be expended in acts of charity.

#### JUDGMENT AND EXECUTION.

It will be apparent from the preceding remarks, that in all litigations respecting property the judgment awarded can be productive of only two effects, either that the identical thing which is proved to be the property of the plaintiff shall be restored to him by the defendant, or that whenever such restoration is impossible, the plaintiff shall receive an equivalent from the defendant. In the first case, the former is put in immediate possession of the thing to which he has proved his right by the officers of justice; and, in the other, the compensation is considered by the Muhammedan law to be exactly the same as a debt. It is, at the same time, expressly laid down, that this compensation must never exceed the value of the actual loss sustained, and therefore the inconvenience or actual injury which may result from the non-performance of a contract, or the unjust detention of property, are never taken into consideration; for it is held that the plaintiff in such cases, by recovering his right, is not entitled to any further redress, and damages are in consequence unknown to the Muhammedan law.

But the most usual consequence of judgment is the constituting a debt, the payment of which must be enforced from the defendant; if, therefore, the defendant, after judgment has been passed, refuse payment, he is to be immediately imprisoned by the *Kází*, provided that he does not plead inability to discharge it on account of his poverty. This rule extends to all cases in which it has been adjudged that the defendant, whether as principal, agent, or cautionary, shall pay a compensation to the plaintiff, and on whatever account it may have been awarded. A husband, also, under the same restriction, may be imprisoned for not furnishing his wife with necessaries, and a father for not furnishing his children under age with necessaries; should, however, the defendant plead poverty, the *Kází* shall not

imprison him unless it is proved either by strong presumptions (such as the debt due having been contracted for goods delivered, or his having voluntarily become a cautionary for the performance of a contract), or by evidence adduced by the plaintiff that the defendant is actually possessed of property. In the latter case the *Kāzī* must direct inquiries to be made into the real circumstances of the defendant, and should it then appear that he is unable to pay the debt on account of poverty, he must release him ; but should it appear that he is rich, he must continue his imprisonment. If, however, no satisfactory information can be obtained on this point, the *Kāzī* is at liberty to detain him in prison for such a period as he may think sufficient for inducing the defendant to discharge the debt were he in fact possessed of property. It is observed in the *Hidāyah*, that in this case a precise period cannot be fixed, because men are differently affected by the hardships of imprisonment, and that it must, therefore, be necessarily left to the discretion of the *Kāzī*. Should the debtor thus imprisoned fall sick and have any person to attend him, he is not to be released, but otherwise he must be released ; and if the debtor be an artificer he is not to be allowed to work at his trade.

If a debtor possess property, a difference of opinion exists among the Muhammedan jurists, respecting whether or not the *Kāzī* can order such property to be sold for the satisfaction of the creditors without the consent of the debtor. *ABŪ HANĪFAH* maintains that he cannot, and that he can only have recourse to imprisonment in order to compel the debtor to adopt means for the discharge of his debts ; but *ABŪ YŪSUF* and *MUHAMMED* hold that the debtor's consent is not necessary, and that the *Kāzī* may therefore sell whatever property he has, either in whole or in part, and divide the proceeds amongst the creditors in proportion to their respective claims : but whenever a distribution and sale of the debtor's property take place, it is held that the cash shall be first divided, then the proceeds arising from the sale of his goods and effects, and lastly, the proceeds arising from the sale of his houses and lands. If, after such a division, no residue remain to the debtor, a certain proportion of the property must be set apart for the maintenance of himself, his wives, and such of his children as are under age.

The liberation of a debtor from prison in consequence of poverty does not cancel his debts ; and the creditors are, therefore, at liberty to inspect and watch his conduct, in order that they may seize the first opportunity of obtaining a liquidation of their demands. They must not, however, impose any restraint on his actions, or enter his house, or prevent him from transacting business or travelling ; but

they may insist on his regularly paying them all that he gains over and above what is requisite for the subsistence of himself and his family. In this case, whenever there is more than one creditor, all the creditors must agree to receive their debts in this manner, and must divide what is paid by the debtor in proportion to their respective claims. If the debtor, rather than subject himself to the importunities of his creditors, prefer remaining in prison, and the creditors require his release, the *Kází* must comply with their demand; but if they in any manner abuse the liberty given them of watching the debtor, the *Kází* must commit him again to prison.

#### PART IV.

##### PUBLIC WRONGS.

IN treating this part of the subject, it will, perhaps, be best to commence with the smallest offence, and proceed to the highest crime. The offences, then, known to the Muhammedan law may be divided into, 1. Misdemeanors; 2. Theft; 3. Homicide and mayhem; 4. Adultery; 5. Highway robbery; 6. Rebellion; and 7. Apostasy.<sup>1</sup>

##### MISDEMEANORS.

All acts which are offensive, either in word or deed, are deserving of punishment; but as the specification of such acts, and of the penalty which ought to be incurred by each of them, is impossible, the law has only enacted specific provisions for offences of the greatest importance, and has intrusted the correction of all other culpable acts to the discretion either of individuals or of the magistrate: for a father may chastise his child, a husband his wife, and a master his slave; and it is even held by some jurists, that any Moslem, when he observes another committing an improper act, may correct him. But in the last case the most received opinion is, that punishment, of whatever degree it may be, can be inflicted by the magistrate alone. A complaint must, therefore, be made to the *Kází*, which, unless he

<sup>1</sup> It ought, perhaps, to be remarked, that the Muhammedan law divides public wrongs into five classes: 1. Apostasy; 2. Crimes against the prince, which include highway robbery and rebellion; 3. Crimes subject to *kisas*, or retaliation, which include homicide and mayhem. 4. *Hudud*, or penalties prescribed by the Korán for certain offences, viz. theft, adultery, fornication, drinking intoxicating liquors, and *kaxf*, or falsely accusing a woman of adultery; and 5. *Tasir*, or discretionary punishment for petty offences, and such as are not comprised in any of the preceding classes.

has himself been an eye-witness of the circumstance, must be duly proved by evidence. In the *Hidáyah* no particular instances are given of the offences which are subject to discretionary punishment, because it depends entirely on the *Kází* to determine whether the act complained of is of that nature or not.<sup>1</sup> If he decide that it is, he may direct the offender to be whipped or imprisoned, or both. In the first case, the number of stripes is never to exceed thirty-nine, nor be less than three; and it is laid down, that as the number is so small no lenity ought to be observed in inflicting them. The term of imprisonment is left to the discretion of the *Kází*; but it would seem to be the general opinion that it ought not to exceed two or three months.

There are, at the same time, three misdemeanors for which the law has prescribed a specific punishment; namely: 1. Drinking intoxicating liquors; 2. Fornication; and 3. *Kazf*, or falsely accusing a woman of adultery.

1. With regard to the first: if a Moslem drink wine, and be brought before the *Kází* either when he is intoxicated, or when his breath retains the smell of the wine; or if his drinking it be proved by his own confession, or by the evidence of two witnesses, the *Kází* shall order him to be punished with eighty stripes.

2. Every unlawful connexion between a free man and a free woman that does not amount to adultery. To prove either a man or a woman guilty of this offence, it is indispensable that four respectable men, of sound understanding and of years of discretion, testify that they were eye-witnesses of the fact. The *Kází* must be particularly careful, in receiving evidence to this offence, to ascertain that the witnesses are both credible and competent; but should it be satisfactorily proved, he must order each of the offenders to be punished with one hundred stripes.

3. *Kazf*. Whenever any person accuses a married woman of adultery, and cannot support his accusation by the legal number of witnesses, or whenever any person makes use of expressions calling in question the chastity of the mother or the wife of another, he shall,

<sup>1</sup> In the Persian version, published at Calcutta, of that part of the *Fitawi Alum-giri*, which relates to offences, the following instances are given; striking a Moslem, knocking his turban off his head in the bazar, false imprisonment, &c.; or calling a Moslem an infidel, a liar, a thief, &c. But it is doubted whether calling him an ass, a hog, or a similar name, is punishable, because it is self-evident that he is neither the one nor the other. It is added, that the making of any writings or pictures, which are intended to expose a Moslem to ridicule, are also punishable.

on complaint being duly made to the *Kázi*, be punished with eighty stripes,<sup>1</sup> and be declared to be ever after incompetent as a witness.

#### THEFT.

Theft is the secretly taking the goods of another to the value of ten dirhems (about twelve shillings and sixpence) or more, when in safe keeping. Under this definition is included both the larceny and the burglary of the English law, but it applies particularly to the latter; for it is observed in the *Hidáyah*, that thefts are not likely to take place in the day-time, on account of assistance being always at hand, but that as assistance is seldom procurable at night, thefts are most commonly committed at that time, the thief availing himself of that opportunity to enter houses and forcibly take away the goods of the owners. The Muhammedan law, at the same time, admits so many exceptions to the general definition of theft, that the real character of this offence may be much easier ascertained from these exceptions than from the rule itself.

For taking from any relation within the prohibited degrees, or from a master or mistress, or from a host, does not amount to theft; nor is it theft for a creditor to take the amount of his debt from his debtor, or for a depositary to appropriate the deposit intrusted to him. If the goods also be openly snatched or taken away, or taken from a place which is not considered in law as a place of safe keeping, it does not amount to theft. On this last point the proof of secretly taking principally depends; and it is, therefore, to be observed that the law considers safe keeping to be of two kinds—either the place, such as a house, or a warehouse, or tent; or the personal watchfulness of the owner, as where a man sits in a public place having his goods about him; and in this case no distinction is made between the owner being asleep or awake, or his having his goods about him or under him.<sup>2</sup> But taking from a public bath, or from a house to which the owner admits all people to have free ingress, as a shop or caravanserai, is not theft, if the goods be taken during the hours when the house is open to the public, but otherwise

<sup>1</sup> In the *Hidáyah*, it is laid down that the stripes ordered by the *Kázi* shall, on all occasions, be inflicted with a whip (or rod) without knots; that a man shall receive them standing, and naked to the waist; and a woman sitting, and her outer garment only taken off. They must be inflicted moderately, neither with too much severity nor too much lenity; and if the offenders be sick, or intoxicated, or pregnant, the punishment must be delayed until their recovery.

<sup>2</sup> This, of course, applies *a fortiori* to goods taken actually from the person.

it is theft. The taking also of things of trifling value, as wood, grass, fish, fowls, and garden-stuff, does not constitute theft; nor of things which quickly decay, as milk, flesh-meat, or fruits, whether gathered or on the tree.

Taking from the public treasury is not theft, because it is the common property of all Moslems, and the taker consequently has a share in it; for if a person take from property in which he is a joint tenant, it does not constitute theft.<sup>1</sup>

If, however, it be proved by the confession of the offender, or by the evidence of two witnesses, that he has secretly taken goods of ten dirhems' value or upwards, and that he cannot plead any of the preceding circumstances in bar to his conviction of theft, the *Kází* must order his right hand to be cut off. The amputation is to take place at the joint of the wrist; and the wound is to be immediately cauterised, because it might otherwise prove fatal; and the punishment is inflicted for the purpose of warning and deterring others, and not of putting the offender to death. If the thief commit theft a second time, his left foot is to be cut off in the same manner; but if he offend a third time, he is to suffer no further mutilation, but to be imprisoned until such time as he repents, or during the rest of his life. Should the right hand and left foot of the offender be useless from any cause, or have been lost by accident, the left hand and right foot shall not be cut off in their place, but the offender must be imprisoned. A sentence of amputation cannot be awarded or carried into effect, unless the owner of the goods stolen has appeared as prosecutor, and is present at the execution; nor is the thief, on whom such a sentence is passed, responsible for the goods stolen, though, if they be still in his possession, they must be restored to the owner; and if the owner make a gift of them, or sell them to the thief, previous to execution, the sentence shall not be carried into effect: for it is indispensable that at the very time of execution the punishment should depend on the right of another being actually invaded; and the transfer by the owner of the stolen goods to the thief previous to execution is exactly the same as if he had transferred them previous to bringing his plaint before the *Kází*.<sup>2</sup>

<sup>1</sup> In all these cases, however, where the offence does not amount to the legal crime of theft, the offender is liable to such discretionary punishment as may be adjudged by the *Kází*.

There is a remarkable inconsistency in the definition of punishment given by Muhammedan jurists; for it is at one time considered as authorised by God, in order to deter men by its example from sin; and at another, as in the present instance, as due to individuals, in consequence of any injury that they may have

If several persons are concerned in a simple taking, that is, when they do not enter a place of safe keeping, the act does not amount to theft, unless the value of the goods is such as to admit of each of the accomplices receiving ten dirhems; but if several persons enter a place of safe keeping, or if one or more enter it and the others stand by, all the party is to suffer amputation: because it is customary for some to commit the theft, and for the others to keep watch, and were therefore all the accomplices not liable to have their hands cut off they would escape punishment. This remark is founded on the following instance:—If a thief forcibly enter a house, and take goods and deliver them to an accomplice standing on the outside, the hands of neither of them shall be cut off; because the thief who entered the house did not carry the goods away, and the other did not take them in the house, and, consequently, did not violate a place of safe keeping. But if the thief who enters the house throw the goods outside, and then carry them away himself, or by the means of a beast of burden, his hand is to be cut off; but if he go away without carrying the goods with him, he has not committed theft. A difference of opinion, however, exists respecting whether or not a thief who does not enter a place of safe keeping, but merely introduces his hand and thus takes goods, is liable to amputation; but the general opinion seems to be that he is not, because he has not committed a complete violation of the place of safe keeping.

#### HOMICIDE AND MAYHEM.

As the different kinds of homicide which are recognised by the Muhammedan law are arranged in a very perplexed and unsatisfactory manner, it will be best to divide it into, 1. Wilful murder; 2. Unintentional homicide; and, 3. Justifiable homicide.

1. Wilful murder is the killing another intentionally with a weapon, or with the substitute of a weapon, as a sharp stick, or a sharp stone, or fire; but as the intention is concealed, it can be known only by a visible act, and the law therefore concludes, that whoever uses

sustained. Had they adhered to the first definition in the case of theft, it is evident that the mere transfer of the right in the goods stolen to the thief could not possibly alter the criminality of the act, and that he was therefore still liable to punishment, in order to serve as an example to others; but if punishment be the right of individuals, it necessarily follows that they may either claim or abstain from claiming it. There is, at the same time, a peculiar, but humane, subtilty in considering the judgment of the *Kâsi* as complete in itself without execution, since by it is fully established the right of the claimant, and it then remains to the latter to remit or enforce the execution.

against another an instrument of murder, it must be with the intention of murder. The consequences of wilful murder are, damnation in the next world, and retaliation in this world; for the prophet hath said, *Whoso killeth a believer designedly, his reward shall be hell: he shall remain therein for ever: and also, O true believers! the law of retaliation is ordained you for the slain; the free shall die for the free, and the servant for the servant, and a woman for a woman; but he whom his brother shall forgive may be prosecuted, and obliged to make satisfaction according to what is just, and a fine shall be set upon him with humanity.*<sup>1</sup>

Retaliation is incurred by the Moslem who wilfully murders a Moslem, or a tributary (but not an alien), or a child, or a slave (whether man or woman), and whether the person slain be blind, infirm, deprived of any of his members, or insane. The parent, that is, the father and mother, and all ancestors, shall not be slain for the child; and whenever the right of retaliation in a parent devolves by inheritance, the right ceases: but the child shall be slain for the parent. A master does not incur retaliation by the murder of a slave belonging to himself or his child, or in whom he has a joint property. If several persons unite in committing a wilful murder, each of them, whether he has actually struck the blow or merely stood by, incurs retaliation;<sup>2</sup> but in all cases the right of retaliation ceases on the death of the murderer.

The crime of wilful murder is proved by the confession of the murderer, or by two witnesses adduced by the heirs of the deceased. If, however, the witnesses disagree with respect to the time or place of the murder, or the instrument with which it was committed, their testimony must be rejected; or if one witness depose to the instrument, and the other declare his ignorance of it, or if the one say that it was a sword, and the other that it was a knife, the murder must be considered as not proved; for it is on the particular kind of instrument<sup>3</sup> with which death has been inflicted that the crime of

<sup>1</sup> This passage applies to wilful murder; for MUHAMMED has said in another place, *It is not lawful for a believer to kill a believer, unless by mistake.*

<sup>2</sup> The Persian translator of the *Fitawi Alungiri* asserts, on the authority of the *Jama ul Româs*, that none of the accomplices in a wilful murder, except those who actually inflict the mortal blow, are subject to retaliation: but this opinion is certainly contrary to the received doctrine of Muhammedan law.

<sup>3</sup> ABŪ HANĪFAH maintains, that drowning another, or causing his death by any other means than that of a weapon or its substitute, is not wilful murder; but ABŪ YŪSUF and MUHAMMED are of opinion that it is, and their arguments apply equally to all other kinds of violent death in whatever manner it may be inflicted, otherwise than by a weapon or its substitute. It is also evident that the prophet

wilful murder depends; and if, therefore, the witnesses depose that they know not what the instrument was, the person accused is to be convicted of unintentional homicide only.

Retaliation is the right of the heirs of the deceased, and when the murder is proved by the requisite evidence, the murderer must be delivered up to them. It is then left entirely to them to determine whether they will put him to death, or accept a compensation in lieu of the blood of their relation. In the first case, the murderer is to be slain at once with a sharp instrument capable of inflicting instant death, and is neither to be mutilated nor tortured in any manner.<sup>1</sup> In the latter case the law has fixed no amount of money or goods as the redemption of wilful murder; and the composition, therefore, depends on the agreement which may be made between the heirs of the deceased and the murderer. It is only required that the murderer should consent to the agreement, because he cannot be obliged to enter into it. Should he accept the composition, the amount must be immediately paid unless the heirs consent to a delay; in which case the compensation becomes a debt, and is therefore subject to the same rules which have been already detailed regarding caution and the means of enforcing payment. To prevent, however, all inconvenience which might arise from a difference of opinion amongst the heirs of the deceased, in general so numerous, the law holds, that if any one of them pardon or commute the crime of murder, the act is binding on all; but in case of a compensation having been received, each of the heirs is entitled to a share of it.

2. Unintentional homicide is divided by the Muhammedan jurists into four kinds: 1. Where a man kills another by striking him with an instrument not likely to cause death, as a whip or small stick; 2. Where a person doing a lawful act, without any intention of hurt, unfortunately kills another; as if a person were shooting at a mark,

does not, in any place of the *Korán*, restrict wilful murder to a particular mode of killing; for his expression is general—*whoso killeth a believer designedly*. The means, however, by which the violent death was caused must be proved, according to all Muhammedan jurists, in order to convict a man of wilful murder. It may be proper to add, that the Muhammedan jurists, in describing what I have termed wilful murder and unintentional homicide, have adopted the very terms which are used in the *Korán*. *متمعداً*, *designedly*, and *خطأ*, hence *قتل عمد*, *killing by design*, and *قتل خطأ*, *killing by mistake*; the only two distinctions found in the *Korán*.

<sup>1</sup> In opposition to the jurists of the Hanífah sect, SHÁFI'Í maintains the horrid doctrine, that the very same wounds must be inflicted on the murderer that he inflicted on the deceased, and that should these not prove mortal, his throat is to be cut.

and the arrow by mistake hits a man ; or in shooting at game the supposed beast should prove to be a man : 3. Where the homicide proceeds from accident, as if a man, while asleep, should fall upon another and cause his death : and, 4. Where the homicide proceeds from an intermediate cause ; as where a person digs a well on land that does not belong to him, and another falls into it and is drowned. But though these different acts are thus discriminated, on account of there being greater moral culpability in one than in another, yet the punishment for each of them is the same ; namely, a fine of a hundred camels, or ten thousand dirhems (about 625*l.*)<sup>1</sup> It will, no doubt, appear singular that the Muhammedan law should have prescribed so severe a penalty for acts which itself holds to be unintentional, and, consequently, not criminal ; but it holds, at the same time, that in all these cases the committer of the homicide is not entirely faultless, because he has been in some degree, at least, deficient in the necessary caution, and particularly because that the blood of man is too sacred to allow of its being shed with impunity. The law, however, exempts the committer of the homicide from the payment of the fine, and directs it to be levied on his family, relations, and tribe ; that is, all descended from a common ancestor : and should these not be sufficient to discharge it, recourse must be had to the relations by affinity, commencing with those of the nearest degree.<sup>2</sup> This fine is to be paid in three years, one-third each year ; and no individual is to contribute more than four dirhems. It is observed in the *Hidāyah*, that the reason for exacting the fine from the relations of a person who has killed another by mistake is, that had they been vigilant it is not probable that the homicide would have been committed ; and having been thus negligent, they become responsible, and therefore are associated with him in the payment of the fine.<sup>3</sup>

The arranging, under this head, homicide committed by persons

<sup>1</sup> In the three first cases, besides the fine, the person who commits the homicide is liable to expiation ; that is, the freeing a slave, or fasting for two consecutive months.

<sup>2</sup> The committer of the homicide also pays his proportion of the fine.

<sup>3</sup> This reasoning might apply correctly to the Arabs in Arabia ; but when the Muhammedans and their converts became dispersed over the greatest part of Asia, it must have been rendered every day more inapplicable by the connexion of families and tribes being in a great measure dissolved : and it is therefore difficult to understand how this law could have been ever carried into effect, as the payment of four dirhems from each individual of a family present in one place could scarcely ever have amounted to the sum total of this fine. In defect, however, of a sufficient number of the family of the committer of the homicide, the vicinage might be called upon to pay the fine.

unknown, or by inanimate objects, may be considered singular; but it is rendered requisite by the Muhammedan law imposing the same penalty in these cases as in the case of unintentional homicide: for if a person be found dead in any place, and it be evident that he has been killed, the inhabitants of the vicinage are bound to pay the heirs the price of blood; and in case part of the body only be found, the fine is not to be imposed, unless it be the greater part, or the upper half with or without the head. If a dead body, with evident marks of violence, be found on a quadruped, and it be accompanied by one or more men, the fine shall be paid by his or their relations; if unaccompanied, by the nearest village: should such a discovery be made in a house, the fine is to be paid by the relations of the owner or owners; but in case of any dispute, it must be proved that the persons said to be the owners are the actual proprietors of the house. If a person be found slain in a boat or carriage of any kind, the fine is imposed on the relations of those present; if in a mosque belonging to a particular division of a town, by the inhabitants of that division; but if in the principal mosque, or in a public bazar, or on the highway, or on a bridge, the fine is to be paid by the public treasury. If, however, a murdered body be found in an uninhabited desert, or on a river, no notice is to be taken of it; but if it be found on the bank, the nearest village is responsible. In short, in all cases of homicide where the perpetrator is unknown, the price of blood is to be exacted either from the vicinage, or from the relations of those in whose hands, or in whose house, or in whose field, the body of the deceased is found.

In the case of homicide, occasioned by the fall of any building, or part of a building, which has been erected so as to overhang the highway; or the placing stones, rubbish, or water; or digging a well in the highway, or on the ground of another; the relations of the person who did any of these acts, or caused them to be done, are bound to pay the price of blood: but if, for instance, a balcony, while erecting, should fall and kill a man, the workmen alone are responsible.

3. Justifiable homicide. The Muhammedan law holds that all persons who execute the decrees of a *Kázi*, whether the judgment be death, mutilation, or whipping, are exempt from responsibility; and if in the two last cases death should ensue, they are not liable to the price of blood. But this rule applies merely to execution, after trial and sentence has been passed, and I do not observe that the law has provided for any other case; if, therefore, in apprehending a criminal, or in enforcing an order of the *Kázi*, resistance should be made and

homicide be the consequence, I presume that it would not be considered as justifiable, but merely as unintentional, and that the relations of all present in the affair would be obliged to pay the price of blood.

Homicide is also justifiable in self-defence ; but if it be possible to effect the self-defence without killing the assailant, it is not lawful to kill him : and should the assailant, after drawing his sword and attacking, retire in such a manner as clearly indicates that he has desisted from the attack, and either the person assaulted, or any other, kill the assailant, he becomes liable to retaliation.

If any person, during the night, attempt to commit a theft in a place of safe keeping, it is lawful for the owner to kill the thief ; but if he could have repelled the violence attempted, or instantly recovered the goods, if any were carried away, without putting him to death, he becomes liable to retaliation.

It would seem also, though it is not distinctly laid down in the *Hidáyah*, that if a husband find his wife in the act of adultery, and he put her and the adulterer to death, the homicide is justifiable, and he incurs no responsibility.

Mayhem. To enter into all the minute particulars which are detailed by Muhammedan jurists respecting the different injuries to the person short of death, which constitute mayhem, and the rules which govern retaliation in each specific case, must be both superfluous and uninteresting.<sup>1</sup> It need, therefore, be merely observed, that in all cases where an exact equality can be observed, the precise injury which the offender has inflicted shall be inflicted upon him, and that where such equality cannot be observed, the injury shall be compensated by a fine ; that retaliation is not inflicted for breaking any other bones than teeth, but a fine imposed ; and that, in all cases susceptible of it, the sufferer may either insist on retaliation being inflicted, or accept a compensation for the injury. It is, however, to be observed, that in cases where mayhem has been wilfully committed, the fine is to be paid by the offender, and not by his relations ; and that in other cases, where the fine does not amount to one-twentieth of a full fine for unintentional homicide, it is also to be paid by the offender ; but if it amount to one-twentieth, or upwards, it is to be paid by his relations.

<sup>1</sup> Retaliation applies to every injury that can be inflicted on the person, and admits of no exceptions as in the English law : " We have therein commanded them that they should give life for life, and eye for eye, and nose for nose, and tooth for tooth ; and that wounds should also be punished by retaliation."—*Korán*, chap. v.

## ADULTERY.

Adultery is the connexion of a free Moslem of sound understanding, mature age, and lawfully married, with a free Moslem woman also of sound understanding, mature age, and lawfully married. This offence must be proved by four credible and competent witnesses, who testify that they were eye-witnesses of the fact. The confession of the parties is also sufficient to establish it; but such confession must be made at four different times, and the *Kází* must be very slow in receiving it. When also witnesses bear testimony to adultery, the *Kází* must use every means in his power to ascertain whether they be men of probity and integrity; but if the offence, after every requisite precaution has been taken, be fully proved, both the adulterer and adulteress are to be stoned to death. In carrying this sentence into execution, the offenders are to be carried to a barren spot void of houses and cultivation; and the lapidation must be commenced by the witnesses<sup>1</sup> throwing the first stones, then the *Imám* or *Kází*, and then the rest of the by-standers. Lapidation is not suspended on account of sickness; but if a woman be pregnant, she is to be imprisoned, and the execution delayed until after her delivery.

## HIGHWAY ROBBERY.

Highway robbery is, when one or more persons, confident in his or their strength and bravery, go forth for the purpose of attacking and plundering others on the highway, and put travellers in fear. It admits of four degrees of criminality: 1. When the robbers are apprehended before they have terrified, or robbed, or murdered any one; 2. When they are apprehended after committing robbery only; 3. When they are apprehended after committing murder only; and, 4. When they are apprehended after having committed both robbery and murder. In the first case the robbers must be imprisoned until such time as their repentance clearly appears. In the second, their right hands and left feet are to be cut off, provided that the share of each in the property robbed amounts to ten dirhems. In the third, they are to be punished by death, and cannot be pardoned. And in the fourth, the *Kází* is at liberty to cut off their hands and feet, and then impale them, or to impale them without mutilation, or to put them to

<sup>1</sup> The witnesses are to commence the lapidation, in order that if they should have erred in their testimony, or testified falsely, compunction and remorse may compel them to retract their evidence.

instant death ; but in all cases where a robber is put to death, he is not responsible for the property taken.

All aiders and abettors in a robbery are to be considered equally guilty as the actual perpetrators of it ; and are to suffer the same punishment.

If a robber be taken, who has neither plundered nor murdered, but merely wounded a person, he is liable to retaliation or fine, as the case may be ; but if he have both plundered and wounded any one, his hand and foot are to be cut off, and he thus becomes exempted from retaliation or fine.

If a person attack or plunder another in the streets of a town, it does not amount to robbery ; but if persons make an affray in a town during the day with deadly weapons, or during the night either with deadly weapons or with sticks and stones, they are to be considered and punished the same as robbers.

In the *Hidáyah* it is laid down, that if among a party of robbers there be either a lunatic, or a child under age, or a relation within the prohibited degrees of the person robbed, the punishment of the whole party must be remitted ; because robbery is a single offence committed by the whole party, and if therefore any one of the robbers is legally exempted from responsibility, this exemption must necessarily extend to the rest, as he is merely part of a whole ; and, consequently, as the act of one involves the whole in the same punishment, so must the privilege of one equally remove all criminality from the whole. But it is impossible to suppose that this singular doctrine could ever influence the practice of the law ; for, if it had, every band of robbers would have been certain of screening themselves from punishment by merely taking the precaution of carrying a child along with them. It may, therefore, be justly concluded, that in practice the opinion of *Abú Yúsuf* must have been adopted, who holds, that the rule just mentioned obtains only where the lunatic or child is the actual perpetrator of the robbery or murder ; but if the actual perpetrator be of mature age and sound understanding, then punishment is inflicted on the whole party, with the exception of the child or lunatic.

#### REBELLION.

The only crime against the state known to the Muhammedan law is, not a constructive but an actual levying of war against the sovereign. The jurists, indeed, divide the persons who openly resist the authority of the sovereign into four classes : 1. Those who, without any avowed pretext, create alarm and commit depredations on the highway ; 2. Those who act in the same manner, but under an avowed

pretext,—these two classes are considered as robbers, and are subject to the penalties which have been just explained; 3. Those who oppose the sovereign in force and arms, on account of alleged tyranny and heterodoxy; 4. Moslems of the same sect as the sovereign, who openly oppose him in force and arms on whatever account. These two last classes are properly called rebels, and the same laws apply to each of them: it is, however, to be observed, that to constitute rebellion, it is indispensable that the sovereign authority should be exercised by a lawful prince.

Whenever the sovereign is informed that preparations are making for insurrection by the purchase of arms and the means of war, he ought immediately to imprison all persons accused of being concerned in such preparations, and to detain them in confinement until they repent of their evil intentions; but should these measures be ineffectual, and the rebels be drawing together, the prince ought still to be slow in commencing hostilities, and previously endeavour to recall the rebels to their allegiance by pointing out the impropriety of their conduct; and, if the case require it, by correcting or removing the cause of their defection. The prince must not, however, neglect adopting the necessary means for quelling the insurrection; and as soon as he finds pacific measures to be of no avail, it is incumbent on him to proceed immediately to the reduction of the rebels by force of arms.

All the subjects of the prince are bound to assist him in suppressing rebellion; and if in the progress of the war a faithful subject kill a rebel or destroy his property, he is exempt from all responsibility, and no ways liable to compensation, fine, or retaliation. Nor, according to the general opinion, is a rebel who kills a faithful subject, or destroys his property, liable to any responsibility, though he is held to be culpable in the sight of God, on account of these acts having been committed in an unlawful cause. The prince also is not to make slaves of the rebels, or of their families, nor to divide their property amongst his troops; but he must sequester such property, and not restore it to them until they repent and return to their allegiance.

It is not lawful to sell arms or warlike stores in the camp of rebels; but there is nothing to prevent the sale of them in a town to any person, whether he be known to be a loyal subject or not. It is not, however, unlawful to sell to rebels the materials of arms, such as wood and iron. This rule is contrary to the law regarding enemies who are unbelievers; for to them the sale of arms, warlike stores, horses, and iron, is strictly prohibited; but in either case the sale of provisions and articles of clothing is permitted.

If rebels collect the revenue of any district or territory, which afterwards submits to the prince, or from which they are afterwards expelled, the prince must not exact the revenue a second time for the period for which it has been already paid.

#### APOSTASY.

If a true believer apostatize, he is to be imprisoned for three days, during which period endeavours to reclaim him must be made; but should he persist in his apostasy, he is to be put to death: for there are only two modes of repelling apostasy, the turning again to the faith of Islam, or death. The first, however, is preferable; and it is therefore advisable that the apostate should be indulged with a short delay, in order that he may reflect on his sin; and that should he be actuated by any religious doubts or scruples, these may be removed by persuasion and instruction. But if a Moslem kill an apostate, without these conciliatory measures being adopted, though such an act ought to be avoided, yet the Moslem incurs no responsibility; for the infidelity of the apostate, as of an alien not under legal protection, renders the killing of him lawful. In the case of a woman becoming an apostate, she is not to be put to death, but to be imprisoned until she returns to the true faith. But a difference of opinion exists respecting the manner in which a child under age, but of sufficient sense and understanding, who becomes an apostate, ought to be treated; some jurists holding, that his want of age exempts him, as in other cases, from responsibility, as he has no legal power over his own acts; and others, that he ought to be imprisoned until he returns to Muhammedanism.

It is difficult to ascertain exactly, on account of the diversity of opinions held on the subject by Muhammedan jurists, the legal disabilities to which an apostate becomes liable; for if he escape death, by concealing himself in his own country, or by absconding into another, ABÚ HANÍFAH is of opinion that his right in his property is *ipso facto* suspended from the moment that he becomes an apostate, but that it reverts to him on his returning to the true faith. ABÚ YÚSUF and MUHAMMED, on the contrary, hold that the apostate retains his right in his property, and that consequently all his acts with respect to it are legal; but it is agreed, that if he be either killed in his apostasy, or he abscond, and the Kúzí issue a decree of outlawry, his right in his property then ceases, and that such property<sup>1</sup> devolves immediately

<sup>1</sup> ABÚ HANÍFAH holds, that if any part of this property has been acquired during his apostasy, such part is to be confiscated to the public treasury; but this opinion is controverted by ABÚ YÚSUF and MUHAMMED.

on his heirs, after the discharge of all debts which may be due by him. It is also held, that, with the exception of acts relating to his own property, the apostate becomes dead in law. His marriages, guardianships, executorships, and the like, are therefore *ipso facto* dissolved, and he is rendered incompetent, until he returns to the true faith, to perform any civil functions whatever.

The preceding are all the public wrongs which are specifically provided for by the Muhammedan law; but with regard to crimes, it has been justly observed by BLACKSTONE, that to constitute a crime against human laws there must be, first, a vicious will; and, secondly, an unlawful act consequent upon such vicious will. He enumerates six cases where the will does not join with the act; 1. Infancy; 2. Idiocy or lunacy; 3. Drunkenness; 4. Misfortune or chance; 5. Ignorance or mistake; and 6. Compulsion. From the preceding remarks it will have appeared that the Muhammedan law exempts minors and lunatics from responsibility in all criminal cases, though it holds them answerable for damages on property. Drunkenness is itself an offence, and is therefore an aggravation of another offence, and not an excuse for it. Between chance and mistake the law makes a slight distinction; but though it ascribes no criminality to an act under such circumstances, yet it subjects the agent and his relations to a penalty for not being as cautious as they ought to have been. But the sixth case—*compulsion*—forms a distinct title of Muhammedan law; and though it applies equally to civil and criminal cases, I have thought it best to defer its consideration until now, in order that it might be explained in a single place.

#### COMPULSION.

To constitute compulsion, it is indispensable that the compeller has the power and means of carrying his threats into effect, and that the person compelled was under the fear and apprehension of immediately suffering the evil threatened, unless he complied with what was required of him. If, therefore, a person exercise compulsion on another by beating, wounding, or imprisoning him, in order to force and constrain him to buy or sell certain property, or to acknowledge a debt not due, or to enter into or to dissolve a contract, or to make a confession, any act thus performed under such compulsion is invalid, and the person compelled is not bound to adhere to it. Should he, however, after the compulsion has ceased, confirm the act, it becomes lawful.

If a person, by the threat of death or bodily harm, compel another to destroy property, the compeller, and not he who acts under com-

pulsion, is answerable for it; and from the former the compensation must be demanded.

If a person compel another to divorce his wife or manumit his slave, such divorce and manumission is valid, and shall take effect; but the compeller is bound to pay the dower of the wife and the value of the slave.

If a person commit fornication or adultery on compulsion, ABÚ HANÍFAH is of opinion that he is liable to punishment; but ABÚ YÚSUF and MUHAMMED hold that he is not.

Though the blood of a Muhammedan is so sacred that it would be a laudable act to sacrifice one's own life rather than shed it, yet, in compassion to the weakness of man, should a person, by the fear of bodily harm or death, be compelled to commit a wilful murder, he incurs no punishment, but the compeller is subject to retaliation. This is the opinion of ABÚ HANÍFAH and MUHAMMED, who argue that the person compelled is in this instance constrained to commit the murder, by the natural instinct which leads a man to prefer his own life to that of another, and that he is therefore to be considered as merely the instrument of the compeller; but ABÚ YÚSUF holds that neither of them is subject to retaliation, because it is doubtful on which of them it ought properly to be inflicted; and SHÁFI'Í maintains that they both incur retaliation, as they were equally the cause of the death of the person murdered. This applies to wilful murder only; and the case of a person who is compelled to commit an act, from which either unintentional homicide or mayhem insues, is not noticed in the *Hidáyah*.

If one attempt to compel another to forsake the true faith, merely by blows or imprisonment, such compulsion is not a sufficient constraint on his will; but if the person compelled be under the fear and apprehension of suffering death or bodily harm, he is held excusable if he embrace infidelity, provided that he only does so outwardly, and that inwardly he continues firm in the true faith; yet if he persist in refusing to abjure his religion unto death, his merit is greater, and he will receive an ample reward in heaven.

I have delayed, until this place, adverting to the important distinction made by the English law between principal and accessory; for it will now be apparent that such a distinction is contrary to the very first principles of Muhammedan law, which require, that to convict a man of an offence, positive proof shall be given that he was the actual perpetrator of the offence charged. It hence necessarily follows, that the procuring, counselling, or commanding the commission of a crime, and the receiving, relieving, or assisting the criminal after it has been

committed, come not within this rule of evidence ; and the law has not specifically declared that such acts shall constitute offences, and shall subject the doer of them to punishment. Of the moral culpability of accessories before the fact, Muhammedan jurists could have no doubt; and it seems therefore singular that the case should be entirely omitted in their law : but it is not improbable that this has originated from their peculiar notions respecting the nature of evidence, which have been adopted in the general spirit of humanity that pervades the whole of their law ; for the preceding remarks will evince that the principal object of every rule is to contribute to the acquittal, and not to the conviction of an offender. Guilt, therefore, is made to consist solely in the perpetration of an offence, and until it is actually committed the intention of the offender is not fully demonstrated ; and there is consequently room to suppose, until the very last moment, that he may have repented of and desisted from his original intention. But it is evident that this favourable presumption cannot have place if the accessory before the fact be made responsible for the act of an absent agent, whom he may have, under erroneous impressions arising from misrepresentation, resentment, or any other cause, advised or commissioned to perpetrate a crime. In this case, however repentant the accessory may become, it may be perfectly out of his power to prevent the commission of the fatal act : since also they hold that example is the only lawful end of punishment, it may have been thought that this object was completely attained by the punishment of the principal, and that it was therefore improper to extend, in the person of the accessory, the example further than was absolutely requisite ; but that, if the parent assist his child or the child his parent, if the brother receives the brother, the master his servant, or the servant his master, or even if the husband relieves his wife, who have any of them<sup>1</sup> committed a felony, the receivers become accessories *ex post facto*, and consequently subject to punishment, is a doctrine so totally repugnant to every notion and every feeling comprehensible to a Muhammedan, that it could never have entered for a moment into the contemplation of a Muhammedan jurist.<sup>1</sup>

<sup>1</sup> Except in the case of receiving stolen goods, knowing them to be stolen, it is impossible to understand on what principle of justice, as far as regards the individual, an accessory after the fact is subject to punishment ; and it may be reasonably doubted, whether the good of the state renders such punishment expedient or necessary. The Muhammedans may, therefore, be excused in not having discovered either its expediency or necessity.

## JUDGMENT AND EXECUTION.

In the course of the preceding remarks, I have mentioned the testimony by which each offence is to be proved, and the punishment to be awarded for each, and the manner in which it is to be carried into execution. It only remains to observe, that judgment does not subject the family of the criminal to any legal infamy or legal disability. It is even laid down in the *Hidāyah*, that the usual funeral ceremonies are to be performed for the person who is slain for wilful murder or adultery, and prayers said over his grave, because he has, by giving up his life, fully satisfied the obligation which he had incurred; but for robbers and rebels funeral ceremonies alone are to be performed, and prayers are not to be said over their graves; nor does conviction, judgment, or execution, in any manner affect the criminal's right in, and control over, his property, personal or real; which, on his death, descends, according to the usual rules, to his heirs and legatees.

## GENERAL REMARKS.

I have thus attempted to give a faithful abstract of Muhammedan law; and it will perhaps appear, that it exhibits a solitary instance in the annals of nations of a code of laws being rendered inefficient by its extreme humanity.<sup>1</sup> It expressly declares that it is meritorious to conceal offences, and to prove them it requires evidence which it must, in many cases, be impossible to adduce. It is much to be regretted that there are not, as far as I am aware, any sufficient data from which a judgment on the moral effects produced by so singular a code could be formed. But there does not appear in history, or in travels, any details which would warrant a conclusion that the Muhammedans have ever been remarkable for either vices or crimes: the reverse, on the contrary, might be justly inferred; and the state of Muhammedan society, even under the defects of its government, might evince that morality and virtue do not depend on the severity of penal laws. It must, at the same time, be admitted, that even in the degree of civilization in which the Muhammedans have long remained, cases must have occurred that were not provided for by their laws, and yet deserved punishment. Such cases, however, were not likely to occur frequently, because commerce and laws arising from inequality

<sup>1</sup> Barbarous as the *lex talionis* must be admitted to be, yet the criminal has by it a much better chance of preserving his life than if he were dependent solely on the mercy of the prince.

of ranks being unknown, theft, robbery, homicide, and insurrection, seem to be the only offences of importance which would commonly take place in such a state of society. But still cases might occur; and it therefore becomes a question what were the means by which any inefficiency in the Muhammedan laws was rectified.

On this point it is with the greatest diffidence that I venture to express a doubt with respect to the correctness of the following opinions contained in the analysis of the Bengal regulations; but they seem to me to be inconsistent with every principle of Muhammedan law. "There are three degrees of imperfect evidence. The first produces *shuk*, or uncertainty whether the charge be true or false; the second establishes *zun*, or presumption that the charge is true; the third excites *wuhm*, or doubt against the truth and probability of the fact alleged: the degree of *zun* is admitted to be a ground of legal conviction and sentence, provided the mind receives a strong impression and assurance from it, in which case it is denominated *akbur-i-raee* and *zun-i-ghalib*. This degree of presumption amounts nearly to certainty, and is fully described as such in the *Ashbaho Nuzayer*. The sum of what has been mentioned upon imperfect evidence is, that a penal sentence may be founded upon it when, in the judgment of the magistrate, it affords strong ground of presumption that the crime charged has been committed by the party accused." "In the *Moheet*, it is declared that shedding blood upon violent presumption is authorised."<sup>1</sup> "Discretionary punishment may in all cases be inflicted by the Imam upon strong presumption, whether arising from the credible testimony of men or women of whatever religion, or from circumstances which warrant a violent presumption of guilt."<sup>2</sup> "Discretionary punishment upon strong presumption of guilt is, indeed, left to the judgment of the *Kázi* in all the instances specified; but excepting those mentioned in the final class of each division wherein exemplary punishment extending to death is sanctioned, it is not meant that the *Kázi* should, at his discretion, adjudge *Tazeer*, equal to the penalties of *Hudd*." "From the definition given of *Seesasut*, or exemplary punishment for the protection of the community, it is manifestly intended to be occasionally inflicted by the Imam, when it may appear expedient and not constantly adjudged."<sup>3</sup> "With respect to crimes which, on proof, are subject to the specific penalties of *Hudd* and *Kisas*, a difference of opinion has obtained among the learned, whether they are liable to *Tazeer* or not. Those

<sup>1</sup> Analysis of Bengal Regulations, Part ii. pp. 334, 335.

<sup>2</sup> Ibid. p. 332.

<sup>3</sup> Ibid. pp. 331, 332.

who include such offences in the provisions for discretionary correction and punishment, consider these to extend to every unlawful act which is injurious to the community or to individuals; whereas those who maintain the opposite doctrine restrict *Tazeer* to acts for which no specific penalty is fixed by the law: the former construction, however, is preferred, and generally admitted.”<sup>1</sup>

If these opinions be correct, it will be evident that law has long ceased to exist among the Muhammedans of India; for, if the *Kāzī* be authorised to dispense with the rules of evidence, and to inflict discretionary punishment extending to death even in cases for which specific penalties are prescribed, all reference to first principles, to the Koran, the traditions, or the authority of the earlier jurists, becomes perfectly superfluous. But if this had been the case in India, it might be expected that some regulations would exist similar to those which have long prevailed in Persia, and which are thus described by CHARDIN:—“ Le droit civil des Persans se distingue aujourd’hui en *cheray* et *ourf*;<sup>2</sup> et c’est une chose fort remarquable que cette distinction de justice. *Cheray* est, comme je viens de le dire, le droit civil fondé sur l’Alcoran et sur les commentaires qui ont été faits dessus par les douze premiers successeurs de Mahomet; *ourf* signifie proprement violence et force, et il se prend ici pour la force opposée au droit, c’est-à-dire, pour la raison du plus fort, comme nous disons: ce nom vient de ce que cette justice *ourf* est fondé sur la seule autorité royale. Les devots Persans, et surtout les ecclésiastiques, regardent ce droit *ourf* comme une espèce de tyrannie, et ils s’écrient sur la plupart des actes de justice qui procèdent des tribunaux du gouvernement politique, *ourf* est, *cheray* n’est; c’est-à-dire, que c’est une sentence de violence, et non pas juridique: cependant ce droit *ourf* n’est que le droit naturel bien entendu.”<sup>3</sup> But that such a distinction never

<sup>1</sup> Analysis of Bengal Regulations, Part ii. p. 328.

<sup>2</sup> “The *urf*, or customary law, which is administered by the king, his lieutenants, the rulers of provinces, governors of cities, lay magistrates of towns, managers, and collectors of districts, and heads of villages, aided by all the different subordinate officers who act under their authority, bears some resemblance, in its cognizance of petty offences, to that kind of authority which, in better-ordered communities, is vested in magistrates of police; but the magistrates in Persia always exercise the chief local authority, and consequently are above the law instead of being checked by it. The decrees are instantly enforced by the strong hand of power. They are prompt and arbitrary in their decisions; and as they seldom bestow much time in the consideration of evidence, they are continually liable to commit injustice, even if their intentions are pure.”—Sir JOHN MALCOLM’S *History of Persia*, vol. ii. pp. 447, 448.

<sup>3</sup> Voyages du CHARDIN, vol. vi. p. 70, M. Langlés observes in a note on this passage—“Il est assez étrange que l’on ne trouve nuls renseignements sur le *ourf*

existed in India might be inferred from the following passages of the Analysis of the Bengal Regulations :—" It has been remarked by Sir W. JONES, in his preface to the *Sirajeeyah*, that although ABÚ HANÍFAH be the acknowledged head of the prevailing sect, and has given his name to it, yet so great veneration is shewn to ABÚ YÚSUR and the lawyer MUHAMMED, that when they both dissent from their master, the Musulman judge is at liberty to adopt either of the two decisions which may seem to him more consonant to reason and founded on the better authority. This remark corresponds with the received opinion of present lawyers."<sup>1</sup> " If, however, no authorities be forthcoming, and the Kází be a qualified jurist, he may consider in his own mind what is consonant to the principles of right and justice, and applying the result, with a pure intention, to the facts and circumstances of the case, let him pass judgment accordingly : but if he be not a qualified person, let him take a legal opinion from others who are versed in the law, and decide in conformity thereto. He should in no case give judgment without knowledge of the law, and should never be ashamed to ask questions for information and advice."<sup>2</sup>

These passages are irreconcilable with the opinions contained in the former quotation. The misapprehension has, I conceive, originated from not drawing a distinction between the law exercised regularly and judicially, and the power of investigating and deciding on all cases, civil or criminal, which is the prerogative of Muhammedan princes, and which was generally exercised by the emperors of Delhi personally, or by their ministers, or by the governors of provinces. It does not, however, appear, that the causes brought before them ever interfered so materially with the usual administration of justice as to occasion such a marked distinction between the decisions of the emperor and the Kází, as to render it requisite that they should be discriminated by a particular name as in Persia. In the first case, it may easily be supposed that little attention was paid to rules of evidence or legal authorities, and that the decision was oftener founded on influence, favour, or caprice, than on the real merits of the case ; but an appeal to the prince would sometimes obtain redress, and, in many cases, his authority alone could effect the punishment of a pow-

dans le volumineux traité de jurisprudence Musulmane, intitulé *The Hidáyah or Guide*, ni dans *Tableau Général de l'Empire Othoman*." It would have been much stranger if any notice had been taken of this "raison du plus fort," in works which rest professedly on the writings of ABÚ HANÍFAH and his disciples, when these are founded solely on the Koran, the traditions, and established decisions.

<sup>1</sup> Analysis of Bengal Regulations, pp. 223, 224.

<sup>2</sup> Ibid. p. 228.

erful delinquent.<sup>1</sup> There seems, however, to be no grounds whatever for supposing that this discretionary power was ever exercised by the *Kāzī*, or other officer of justice ; it was reserved entirely to the prince, the ministers, and the governors of provinces.

These remarks have appeared to me requisite in order to remove any doubt that might occur respecting the correctness of the preceding abstract. They will, perhaps, shew, that in every Muhammedan country there exists, in fact, two modes of administering justice ; the one by the prince personally, or by persons to whom that power may be delegated in virtue of the offices which they hold ; and the other by judges skilled in jurisprudence and theology. In the first case, it will be evident that the personal administration of justice by the prince, or his ministers, can be subject to no rules or restrictions, and that the extent to which it may be carried must depend principally on the prejudices of the people. In Persia, it seems, the authority of the prince prevails ; in Turkey, on the contrary, the influence of the jurists is firmly established ; and in India, the concurrence of both appears to have been maintained without any material encroachment on the jurisdiction of each other.

But whenever justice was duly and regularly administered by men of the law, they were bound to adhere scrupulously to the rules and provisions of the law. In such a case it seems incontrovertible that a *Kāzī* could not legally found a decision on what is termed imperfect evidence in a preceding quotation ; for the number of witnesses required in civil cases rests on this text of the Koran — *Call to witness*

<sup>1</sup> Many instances are mentioned in history of the patience and affability with which Muhammedan princes and their ministers received complaints, and of the striking justice of their decisions. With regard to the emperors of Delhi, the author of the *Seir Mutakherin* remarks — “ The prince and his ministers bestowed more attention upon the administration of justice than on any other part of the government ; nor did they suffer that injustice should become justice by prescription, or that any one should oppress another at his will ; they took care to appoint proper persons in every branch of such an office, and had rendered extortion and bribery so odious, that to call one a bribe-taker was resented much more than if it had been the most opprobrious imputation. It was, in consequence of such regulations and attentions, that such men of virtuous principles were found out as reckoned bribery amongst the highest reproaches, and thought it little short of infidelity and apostasy.” “ It was so very easy for poor men to arrive at the very feet of the emperor, and to obtain redress, that when, notwithstanding all these precautions and these attentions, some oppression chanced to take place, we have instances of oppressed ones, who would sometimes come from two or three months’ journey and obtain audience, and expose their complaint, and were they the poorest of men they were sure of being righted against the most powerful adversary.” Not having the original, I quote the translation, *notā manús*, vol. ii. p. 563.

*two witnesses of your neighbouring men; but if there be not two men, let there be a man and two women of those whom ye shall choose for witnesses; if one of those women should mistake, the other of them will cause her to recollect; and it is argued that it follows, a fortiori, that the same number must be required in criminal cases.* The exclusion of women as witnesses in cases of *Kisas* and *Hudúd*, is founded on this undisputed tradition, that in the time of the prophet and his two immediate successors, it was an invariable rule not to admit the evidence of women in cases of *Kisas* and *Hudúd*. The jurists, however, seem to have thought that the rejection of an unbeliever's testimony against a Moslem, was a point so well established that it required no authority to be cited in its support.<sup>1</sup> It is hence apparent, that in civil cases the very facts in issue must be proved by two Moslem men, or one Moslem man and two Moslem women; that the same rule applies to what I have termed misdemeanours; but that in other offences the evidence of women is not admitted, and the facts must consequently be proved by two men.<sup>2</sup> Imperfect evidence, therefore, that is, presumptive, or given by incompetent witnesses, or by fewer than the legal number, cannot be admitted in Muhammedan law; and this seems even admitted in the Analysis of the Bengal Regulations; for the admissibility of imperfect evidence would appear to be restricted to those cases only in which a *Kází* is at liberty to award a discretionary punishment. But as it is, at the same time, laid down that discretionary punishment is awardable even for offences for which the law has prescribed specific penalties, the restriction avails not, and thus the admission of imperfect evidence is extended to all cases. That this is not the Muhammedan law, I think the preceding remarks will fully establish.

I admit, at the same time, that it may be inferred from more than one place in the *Hidáyah* (and I suppose from other law-books), that ABÚ HANÍFAH, and his two disciples, ABÚ YÚSUF and MUHAMMED, were of opinion that in cases where an offender, of whose guilt there was no doubt, was likely to escape punishment from defective evidence, or from legal objections, a *Kází* might use his discretion in supplying the defect of the law; but, as it does not appear in what particular instances or to what extent it might be so used, this opinion will not warrant the conclusion that a discretionary sentence extending to death may be awarded on imperfect evidence. The rules respecting

<sup>1</sup> It is merely mentioned incidentally in the *Hidáyah*.

<sup>2</sup> It will be recollected that fornication and adultery must be proved by four male witnesses.

evidence are very copious in the *Hidāyah*, and they are derived principally from ABÚ HANÍFAH and his two disciples; and there is not a single sentence in the whole book which authorises, or in any manner permits, a *Kázi* to dispense with these rules. The same authority, also, expressly restricts discretionary punishment to petty offences, though in heinous crimes, not provided for by the law, it seems to admit that the prince is at liberty to punish the criminal. It must be evident that if the last be the received opinion, as I conceive it is, the Muhammedan law is perfect, and comprises plain and simple rules of evidence, and a regular gradation of offences and punishments: it may be defective in not providing for every possible case and in requiring a greater degree of proof than is requisite;<sup>1</sup> but, as far as it extends, it is clear and intelligible, and leaves scarcely any thing to the discretion or judgment of the *Kázi*. But the doctrine which I controvert leaves every thing to his discretion, and destroys the very foundation of all law; for its inevitable consequences would vest every petty *Kázi* with the power not only of making *ex post facto* laws, and declaring culpable whatever acts he thought proper, but of deciding on the kind of evidence requisite for their substantiation, and of inflicting whatever punishment he pleased on the agent who might be so convicted.

I have thus imperfectly, but I trust correctly, explained the most important principles of Muhammedan law. The perusal of this abstract will perhaps excite surprise that the government of British India, and the legislature of Great Britain, should have been so anxious to preserve and enforce a code of laws the fundamental principles of which are, that the British cannot exercise a lawful sovereignty over Muhammedans; that every Muhammedan is at liberty to kill them individually with impunity; that it is a solemn obligation imposed by God on every true believer to make war against them collectively; that no person can legally exercise the office of a judge unless he be a Muhammedan, and that, should any such person have intruded himself into that office, his acts are null and void *ab initio*; and that no person, unless he is a true believer, can fill any situation which gives him the slightest degree of power or authority over a Muhammedan. These are not speculative opinions confined to the schools, but so interwoven with their religion that every Muhammedan of the slightest education must be in some degree acquainted with them; but they are more particularly inculcated in their law-

<sup>1</sup> The deciding on presumptive evidence may in most cases be trusted with safety to a jury; but the not intrusting it to a single individual, who must frequently be undistinguished by either ability, learning, or capacity, must certainly be considered as a very humane provision in the Muhammedan law.

books, as there is scarcely a page in any one of them in which these opinions do not occur, either as the subject discussed, or by the way of argument and illustration; yet the British government have diligently extended the circulation of these books by printing them, and facilitated their comprehension by causing them to be translated from Arabic into Persian.

But the government, at the same time, have found the Muhammedan law so defective that they have been induced to alter it entirely in the case of perjury, subornation of perjury, forgery, theft, robbery, mayhem, homicide, and crimes against the state; and also to alter materially the rules of evidence: new courts of justice, and new forms of process and trial, which were before perfectly unknown to the Muhammedans, have been also introduced. I may, therefore, be permitted to observe, with all due deference and respect, that the Muhammedan law, however nominally preserved, no longer exists in India; and that a most singularly inconsistent and contradictory duty is at present imposed on the Muhammedan law-officers of the different courts of justice, as they are required, in many cases, not to give their opinion simply according to their own law, but according to that law as it is modified by certain regulations of government. It would not become me to venture any opinion on these regulations; but I may perhaps be excused for expressing a doubt whether it be possible to reconcile such modifications to the first principles of Muhammedan law. These appear to me to differ so essentially from the principles of English law, most particularly in the rules of evidence, that the attempt to reconcile the decisions and dicta of ABÚ HANÍFAH, ABÚ YÚSUF, and MUHAMMED, with the opinions and decisions of English lawyers, must be perfectly impracticable. It may also be doubted whether, were it practicable, the learning and abilities of the present Muhammedans of India are capable of effecting such a reconciliation.

VANS KENNEDY.

*Bombay, 1st March, 1829.*

## APPENDIX.

IN order to render this Abstract complete, I subjoin the contents of the *Hidáyah*; because the same arrangement is observed in all digests of Muhammedan law. It is to be remarked, that the title of inheritance is entirely omitted in this work; and that I have noticed, in the Abstract, such parts only as relate to the municipal law.

<i>Book</i>	
I. ...	الطهارة <i>At-Tahárat</i> —Purification.
II. ...	الصلوة <i>As-Salát</i> —Prayer.
III. ...	الزكاة <i>Az-Zakát</i> —Alms.
IV. ...	الصوم <i>As-Saum</i> —Fasting.
V. ...	الحج <i>Al-Hajj</i> —Pilgrimage.
VI. ...	النكاح <i>An-Nikáh</i> —Marriage.
VII. ...	الرضاعة <i>Ar-Razúat</i> —Fosterage.
VIII. ...	الطلاق <i>At-Talák</i> —Divorce: including several chapters on the furnishing of necessaries, نفقة <i>nafakah</i> , to wives, children, and slaves.
IX. ...	العتاق <i>Al-Aták</i> —Manumission.
X. ...	الايمان <i>Al-Aimán</i> —Vows.
XI. ...	الحُدود <i>Al-Hudúd</i> —Prescribed punishments in the case of adultery, fornication, drinking intoxicating liquors, and falsely accusing a married woman of adultery. It also includes a chapter on تعزير <i>Tazír</i> , or discretionary punishments for small offences.
XII. ...	السرقه <i>As-Sarikat</i> —Theft: including Highway Robbery.

## Book

- XIII. ... **السبر** *As-Sair* — War: comprising every thing relating to war, peace, conquered countries, captured property, tributaries, aliens, revenue, and the duties and prerogatives of a king.
- XIV. ... **اللقطة** *Al-Lakítat* — Foundlings.
- XV. ... **اللقطة** *Al-Luktat* — Trove.
- XVI. ... **الاباق** *Al-Ubbák* — Fugitive slaves.
- XVII. ... **المفقود** *Al-Mafkúd* — Non inventi. Persons who have disappeared, and it is not known whether they be living or dead.
- XVIII. ... **الشركة** *As-Shurkat* — Partnership: including joint-tenancy.
- XIX. ... **الوقف** *Al-Wakf* — Alienation to charitable uses.
- XX. ... **البيع** *Al-Baya* — Sale.
- XXI. ... **الكفالت** *Al-Kafálat* — Caution.
- XXII. ... **الحوالت** *Al-Hawálat* — Transfer of debts.
- XXIII. ... **ادب القاضي** *Adab-ul-Kázi* — Duties and qualifications of a *Kázi*: including arbitration.
- XXIV. ... **الشهادات** *Ash-Shahádat* — Evidence.
- XXV. ... **الرجوع من الشهادات** — Retraction of evidence.
- XXVI. ... **الوكالت** *Al-Wakálat* — Commission and procuratorship.
- XXVII. ... **الدعوي** *Ad-Dawá* — Plaint and process.
- XXVIII. ... **الاقرار** *Al-Ihrár* — Confession and acknowledgment.
- XXIX. ... **الصلح** *As-Sulh* — Accord.
- XXX. ... **المضاربة** *Al-Muzárabat* — Commission with a valuable consideration.
- XXXI. ... **الوديعة** *Al-Wadíat* — Deposit.
- XXXII. ... **العارية** *Al-Áriat* — Loan.
- XXXIII. ... **الهبة** *Al-Hibat* — Gift.
- XXXIV. ... **الاجارات** *Al-Ijárát* — Hiring.
- XXXV. ... **المكاتب** *Al-Mukátib* — Freedmen.

*Book*

- XXXVI. ... الولاء *Al-Walá* — Patronage.
- XXXVII. ... الاكراه *Al-Ikráh* — Compulsion.
- XXXVIII. ... الحاجر *Al-Hijr* — Inhibition.
- XXXIX. ... المازنون *Al-Mazún* — Licensed slaves.
- XL. ... الغصب *Al-Ghazb* — Dispossession.
- XLI. ... الشفعة *Ash-Shufat* — Right of pre-emption.
- XLII. ... القسمة *Al-Kismat* — Partition of joint-property.
- XLIII. ... المزارعة *Al-Muzáraat* — Hiring of land for cultivation.
- XLIV. ... المساقاة *Al-Musákát* — Hiring of gardens, orchards, &c. for cultivation.
- XLV. ... الذبايح *Az-Zabáiah* — Rules relating to the killing of animals for food.
- XLVI. ... الاضحية *Al-Uzhíat* — Sacrifice.
- XLVII. ... الكراهية *Al-Karáhiat* — Unlawful acts; infractions of the religious but not the municipal law.
- XLVIII. ... احباءالموات *Ihyá-ul-Mawát* — Cultivation of waste lands.
- XLIX. ... الاشربة *Al-Ashribat* — Prohibited liquors.
- L. ... الصيد *As-Said* — Hunting.
- LI. ... الرهن *Ar-Rahn* — Pawning.
- LII. ... الجنايات *Al-Jindýát* — Homicide and mayhem.
- LIII. ... الديت *Al-Diyat* — Fines for unintentional homicide and mayhem.
- LIV. ... المعاقل *Al-Maákil* — Persons responsible for these fines.
- LV. ... الوصايا *Al-Wasáyyá* — Last will and testament, and executorship.
- LVI. ... الخنثي *Al-Khunsá* — Hermaphrodites.

ART. VIII.—*Description of Ancient Chinese Vases; with Inscriptions illustrative of the History of the Shang Dynasty of Chinese Sovereigns, who reigned from about 1756 to 1112 B.C. Translated from the Original Work, entitled Pō-koo-too, by PETER PERRING THOMS, Esq.*

(Continued from Vol. I. page 222.)

THE E 彝 VESSELS, FOR CONTAINING WATER AND  
THE FRAGRANT WINE 鬱 鬯 YŪH-CHANG.

I.



THIS vessel measured, in height, five Chinese inches and seven-tenths; its containing depth, four inches and five-tenths; its circumference, at the top, seven inches and two-tenths. It weighed five Chinese pounds and fourteen ounces. It had two handles, or ears, as the Chinese term them, for ornament. This vessel is considered very plain, but was used for sacred purposes. The handle is said to be formed of the head of an animal known for its greedy appetite: hence its admonitory design. The vessel had no inscription.

## II.




己  
舉

This vessel measured, in height, six Chinese inches ; its containing depth, four inches and seven-tenths ; its circumference, at top, eight inches and two-tenths ; and around the centre, eight inches. It weighed seven Chinese pounds and six ounces ; and had two handles, and the inscription of 己舉 E-KEU. The figures on the vessel are called 乳 *Joo*, "breast," of which there were a hundred and forty-one. There were several sovereigns of this dynasty who took the name E, but it is considered uncertain to whom the inscription alludes. Anciently, a person of the name of LE-KING, of the state Lin, obtained a valuable vase at Show-Yang with a similar inscription ; and a person named WANG-KEAE also obtained an ancient vessel at Lō-yang with the inscription 丁舉 *Ting-keu*, which greatly resembled the above vessel in its form, as well as in the mode of writing the inscription. The character 舉 *Keu*, is formed of Yu 與 "with," and 手 *Show*, "the hand," i. e. "to lift with the hand ;" hence some have imagined that the inscription indicates the exclusive use of the vessel, to be raised or held up when offering the wine, &c.

## III.



子  
孫

This vessel measured, in height, three Chinese inches and five-tenths; its containing depth, two inches and nine-tenths; round the centre, four inches and six-tenths. It contained about an English pint, and weighed two Chinese pounds, having the above inscription, meaning "Sons and grandsons." The second character is considered an unusual form; for the hands appear raised as if to embrace  *Jih*, "the sun." One authority represents the two characters as intimating that the vessel should be transmitted from son to grandson—a correct sentiment: and 'the raising the hands towards the sun,' he says, 'indicates respect due to a prince; for he that is acquainted with the respect due to a prince, cannot be unacquainted with the duties that are required from a minister or son.' The form of the characters is thought sufficient to prove that the vessel belonged to the *Shang* dynasty.

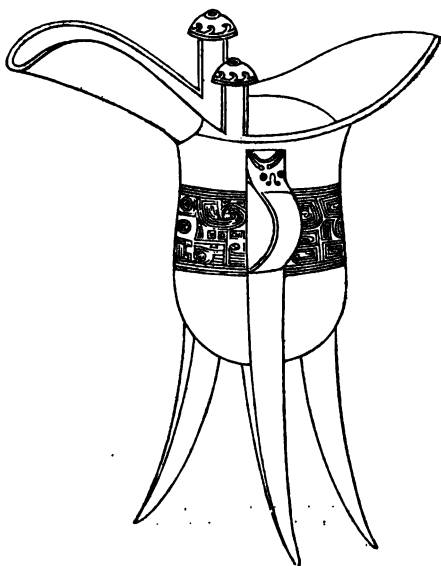
IV.



作  
寶  
彝

This vessel measured, in height, four Chinese inches and three-tenths; its containing depth was three inches and five-tenths; its circumference, at the top, six inches and three-tenths; round the centre, six inches and five-tenths. It weighed two Chinese catties, or pounds, and thirteen ounces; and contained the above inscription. The handles of this vessel having the form of a tiger's head, it has been designated the tiger-head vessel. It is supposed by an eminent writer to have been used at one of the rites at which the emperor presided, called *Te-kǎ*. The same writer remarks that the vessel was not ornamented with the tiger's head to remind us that this animal came from the west, but to admonish us to exercise the five cardinal virtues, 'Benevolence, Justice, Integrity, Sincerity, and Prudence.'

## THE TSEŎ VESSEL.



The above is a specimen of thirty-five vessels ascribed to this period, which differ very little in their devices. In the introductory remarks to a description of one of them it is said,—“ Though the vessel is small and may be considered of little worth, yet being a *Tseŏ* vessel, one used exclusively by the nobility, hence used by the officiating officer or emperor to drink out of when sacrificing, it is a vessel of very great importance in the national rites.” Its service was required when worshipping the God of Heaven, and the God of earth, spirits, and genii; also, on ceremonial-visits.

## A MIRROR, DURING THE TANG DYNASTY.



The above diagram represents the reverse side of a polished steel mirror. The centre represents the sun. The four animals around it represent four constellations. The next circle contains the *Pā-kwa*, or FŪH-HE's Eight Diagrams, by which he and his followers attempt to account for all the changes and transmutations which take place in nature. The outer circle represents the twelve signs of the Chinese Zodiac.

[*This finishes the Article on Ancient Vases, &c.*]

ART. IX.—*An Account of the Sect of Kaprias, by R. S. MONEY, Esq. (Communicated by the Bombay Branch Royal Asiatic Society).*

ON visiting Mhurr, in the year 1828, I was desirous of learning some particulars of the customs and history of the Kaprias; a sect so called from worshipping PÁRVATÍ, one of whose names, taken by her on a particular occasion, is "*Kála Purí*," or "*Káya Purí*." In Cutch she is known under the name of "*Áśá Purá*," and "*Mátá*." The temple dedicated to her in this town is of great celebrity and antiquity, and endowed with many honors by the Ráos of Cutch. It boasts of no external beauty, is clumsily succeeded over, and surrounded by buildings belonging to the Kaprias. These people superintend all affairs connected with the sacred establishment in the immediate neighbourhood, as well as those of several villages granted by the Ráos to the goddess.

The origin of this fraternity is involved, like that of all Hindú religious orders, in much obscurity. They pretend to have an associate of RÁMACHANDRA for their founder; who accompanied that deity, after his conquest of Ceylon, on a pilgrimage to Hinglís, on the borders of Makrán; and who was left by him, as they passed through Mhurr, to build a temple to ÁŚÁPURÁ, and form this sect by her especial order. The monstrous image, which is the object of their adoration, is said to have started from the bowels of the earth in its present shape; and LÁLÁ JAS RÁJ (the founder's name) erected a building over it. It appears to be an immense block of uncarved stone, six feet high, and as many broad; the lower part of which has two uncomely swellings, like the deformed breasts of a woman; and from above these grows a huge excrescence, very similar in shape to a leg of mutton. I could gain no reasonable information respecting this extraordinary figure: it had been there, I was told, ever since the Trétáyug. A long period of darkness follows in their history, after the death of LÁLÁ JAS RÁJ; and nothing of note seems to have occurred, excepting instances of their presiding deity's interference, on several occasions, for the reputation, safety, or success of her established servants. It is affirmed, that they enjoyed the protection of RÁJÁ GADÁ SANKAR, father of VIKRAMÁJÍT, the Asiatic VULCAN; who, on being cast from heaven, for his mal-practices, by his parent INDRA, fell on the land of Cutch in the form of a jackass (whence his title), and assumed, after a series of wonderful adven-

tures, the government of the country, until his return to the celestial regions.

As the tales connected with this hero are curious, and current among the natives, and as there is a coin found in some old ruins with unknown characters on it, attributed to his time, and called by his name, I have sent a short account of him with this paper. The Kaprías, however, remained unnoticed after this until the days of RÁO KHANGARJÍ's father, who, when in great distress, vowed all the honors in his power to ÁSÁPURÁ, should he ever extricate himself from them: and, on his success, fulfilled his vow most satisfactorily. He made a pilgrimage to Mhurr; gave the title of RÁJÁ to the guardian of the temple; endowed it with the grant of several villages; and, during his life, at different times, bestowed large sums of money for the use of the brotherhood. From that period the fame of the sect has much increased; and the RÁJÁ shares nearly equal honors with his protectress. The Ráos of Cutch are not thought secure on the throne until they perform a journey to this sacred spot; and the guardian RÁJÁ never rises when his king does him the honor of a visit. All ranks and castes pay the RÁJÁ extraordinary attention. While Cutch was overrun by the troops of FATEH MUHAMMAD, who cared little for the privileges or prejudices of other religious orders, he strictly refrained from violating those of the Kaprías. They have lost all their books, which were taken to Sindh by GHOLÁM SHÁH, who plundered their temple and the town of Mhurr in 1819. A large bell, the largest I have seen in India next to the bell of St. Thomé, was also carried away by the Sindhian marauder, but restored (on the threatenings and interposition of ÁSÁPURÁ) to its former abode, where it now hangs, and is an object of great veneration and wonder. The constitution of this establishment is singular, and not unlike that of monasteries in Europe. The number of Kaprías is limited to one hundred and twenty or one hundred and thirty. They are bound by the most solemn obligations to a life of celibacy; and all their domestic concerns are managed without the aid of women, however nearly related. On the death of a member they select some one to succeed him from a Hindú caste, and they admit members to their community at any age above eight or nine years. The new brother is brought into the assembly; his Mátápa, or tuft of hair is cut off, and the peculiar cap of the order placed on his head; he is presented to ÁSÁPURÁ, receives the congratulations of those around him, drinks the Kusumbá (a draught of liquefied opium) with them, and joins in the feast given on the occasion of his entrance into the service of the goddess. If young, he has little to learn but the art of

begging, and the proper mode of making his prayers acceptable to *Ásápurá*.

Excepting the *Rájá* few can write or read, nor are they ever taught such qualifications on becoming a *Kapría*. They eat and sleep together; they do no labour in the fields, although possessing some fine and rich land. Some of the most reputable members are stationed in each village with *Banyás* as their *Kámdárs* or men of business, who superintend the cultivation and the accounts. The revenue derived from the five villages which they possess, together with what is collected by the mendicants of the order, and the sum due to the *Rájá* from a tax on the alum made at *Mhurr*, is all expended in charity. No beggar goes from their gates with an empty stomach, of whatever caste he may be, *Musulmán*s, *Mungs*, or *Dérs*; a cowry's worth of opium is always ready for travellers or visitors of high rank and respectability; and a regular allowance is laid aside for feeding all descriptions of animals. Their own food is like that of *Hindús*, the simple food of the country.

They have no particular festivals, but hold those days sacred which are so among the natives of the country. *Hinglús* is their holy land, and every *Kapría* is obliged, if he possibly can, to make a pilgrimage thither once in his life time. He must not stay there more than twelve hours, and those are the twelve hours of night. If day dawn on him, then he believes that *Ásápurá* will either cast him into the sea, or make away with him in some mysterious manner. They do not burn, but bury their dead. The *Rájá* only has the honor of a funeral pile after his death. The twelfth day following is a day of feasting and rejoicing, and the relatives of the deceased are invited to partake in the merry-making. The succession, on the demise of the *Rájá*, is secured by previous adoption. The present *Rájá* is an old man, and has been at the head of the establishment for thirty-four or thirty-five years. I asked them if they had any *múrti* or apotheosis of *LÁLÁ JAS RÁJ*? They said, no; but that they worshipped him in the shape of the *LING*, and took me up to a figure of that description. In what way it was connected with the history of their founder I could not discover; and their life of celibacy made the worship of such an emblem the more curious. The most productive villages round *Mhurr* belong to this sect; and more activity and signs of comfort and opulence are to be seen in them than in any villages in the *Ráo*'s dominions.

(Signed) R. C. MONEY.

## ART. X.—READINGS IN ORIENTAL LITERATURE.

## THE SWORD OF ANTAR.

FROM THE "NOUVEAU JOURNAL ASIATIQUE."

AFTER the numerous and brilliant exploits which had brought them peace and prosperity, the warriors of the tribe of ABS, assembled by the invitation of their King ZEER, near the source of a bubbling fountain in a verdant valley. When, after their splendid repast, the slaves sent round cups filled with wine, whilst the young damsels danced on the green sod to the sound of timbrels and the song of their mothers.

Surrounded by the princes his sons, and the chief lords of his tribe, King ZEER, who with patriarchal kindness presided over the festivities, requested ANTAR to sing one of his poetic compositions. A profound silence reigned in the assembly: ANTAR, after meditating a few moments with his eyes fixed on the ground, raised his head, and sung the following verses in a rich mellow tone:—

All hail, mighty monarch ! good fortune be thine ;  
Far away be all care from the chief of our line ;  
May thy soul by solicitude never be pained ;  
May thy wish scarce be formed and the object be gained.

Thy presence spreads joy from the east to the west ;  
Yon fountain flows sweeter to greet such a guest ;  
For thee the green meads take a lovelier bloom,  
And the flowrets are shedding a richer perfume.

Bright source of our glory ! 'tis pleasure divine  
To share in thy banquet, to drink of thy wine ;  
May joy thus for ever illumine thy glance,  
And, certain as fate, be the stroke of thy lance !

Alas ! my poor soul has by love been betrayed ;  
Deep, deep is the wound from the eye of a maid  
Who dwells in these tents. I should perish with fear  
Were hope not revived by my trust in King ZEER.

Like meteors that flash o'er the dark vault of night,  
Are the deeds of our monarchs—swift, sudden, and bright ;  
May his glories endure ! may his warriors, so brave,  
Send death on before, leave behind them a grave !

Scarcely had ANTAR concluded, when a cloud of dust obscured the horizon ; it ascended to heaven like a veil, at the extremity of

which might be seen a dark fringe of horsemen: the neighing of steeds was heard, and soon they discovered a hundred warriors, whose polished armour reflected back the rays of the sun. At their head was a young man clothed in the richest products of the Ionian loom, and mounted on a superb Arabian courser.

The warriors halted in line at some distance from the fountain; their chief advancing with a sorrowful downcast air addressed King ZEER:—"Support and comforter of the wretched; you who received me kindly when an orphan, and filled my heart with the love of glory and virtue, now complete your kindness, and grant me protection against a tyrant who designs to exterminate my tribe."

Prince MALIK, the son of King ZEER, recognised in the voice of the suppliant, that of his foster-brother HASSAN, the son of her who had watched over his infancy. He sprung towards him, pressed him to his bosom, and demanded the cause of the sorrows which he desired to console. ANTAR, the unmoved spectator of this scene, felt some impatience to learn its cause; you, too, my reader, probably share in the feeling, to gratify you the narrative must go back to an earlier period.

In one of his expeditions King ZEER had captured seven ladies of the tribe of MAZEN, and brought them to his home, together with the young HASSAN, whose father had fallen in battle. HASSAN was still at the breast, when brought with his mother SEBIA to the tribe of ABS. TEMATÚR, the wife of ZEER, had, about the same time, given birth to Prince MALIK, and SEBIA was appointed his nurse. MALIK and HASSAN grew up together, and a strong attachment grew with their growth between such kindred spirits. Prince MALIK, gifted with rare beauty, was remarkable for his respectful attentions to the softer sex: he was beloved by his tribe on account of his kind disposition and wondrous eloquence.

The mother of HASSAN still preserved in her breast an anxious desire to revisit her family and the tribe of MAZEN. The remembrance of a beloved sister whom she had left in the tribe filled her with sorrow. One day TEMATÚR surprised her bathed in tears, and heard her sobbingly exclaim,—“No; never again shall I revisit the country of my birth. For ever am I separated from the sister I loved so well, and from all that made life dear to me!”

TEMATÚR, touched by her afflictions, solicited from her spouse the freedom of SEBIA; the boon was willingly granted, and it was accompanied by rich presents, which insured SEBIA's future prosperity. HASSAN, who was now grown up, and had learned all the habits of the tribe of ABS, parted from his brother in arms with great

reluctance. Nevertheless he followed his mother, arrived with her at the tribe of MAZEN, where his amiable qualities soon rendered him popular: he had also the good fortune to distinguish himself both by his valour and adroitness in several expeditions.

SEBIA enjoyed perfect happiness in the company of her beloved sister, who had married a rich emir named NUJÚM, of the tribe of MAZEN. This sister had a beautiful daughter, who deservedly obtained the name of NAKHUMÉ.

HASSAN could not see his cousin without becoming enamoured of her. Constant intercourse increased his passion, which, however, he did not venture to reveal. One day, AUF, a rich and powerful lord of the tribe of TERJEM, visited NUJÚM; a splendid entertainment was prepared for his reception; they slew several lambs and a camel to supply the banquet.

At the close of the repast, AUF, stimulated by wine, arose and demanded the hand of NAKHUMÉ. NUJÚM hesitated to reply. HASSAN, fearing that his beloved might be wrested from him, lost his self-possession; he rose and exclaimed — “ My rank, my birth, and my relationship, give me the preferable claim to the hand of my cousin; I will not suffer NAKHUMÉ to quit her tribe and dwell with strangers.”

AUF, his eyes sparkling with rage and jealousy, cried aloud — “ Wretched youth! darest thou compare thyself to an Arabian lord? darest thou, a miserable orphan, compete with me and interrupt my discourse?” “ I am,” replied HASSAN, “ more noble than thou art, by my father and mother; render thanks to God that thou art under this tent, or my sword would have been nearer to thy throat than thy spittle is to thy tongue. If thou art proud of thy wealth, I tell thee all the riches of Arabia shall be mine when I please. If thou boastest of thy address to manage steed, lance, and sword, dare now to meet me in the field.”

AUF, overwhelmed with wrath, seizes his arms, springs upon his steed, and dashes beyond the tents, followed close by HASSAN. The entire tribe hastened from the tents to witness the combat. HASSAN sprung upon his adversary, warded off a blow of a lance aimed at him, and closing with AUF, seized him vigorously on the breast by his coat of mail, lifted him up, and flung him beneath the feet of the horses. He would have struck off his rival's head had not NUJÚM interfered, declaring that he was sheltered by the laws of hospitality. HASSAN was content with cutting off his rival's hair and binding his hands behind his back. In this condition he allowed him to return to his own tribe.

The news of this exploit spread through all Arabia, and no one dared hereafter to become the suitor of NAKHUMÉ.

HASSAN, whom this exploit forced to declare his love, waited with inexpressible anxiety the decision of NUJÚM. His youth, his want of fortune, every thing conspired to make him dread a refusal. Plunged in sorrowful reflections, he was yielding to despair, when a slave, devotedly attached to his interests, informed him that he had overheard NUJÚM say to his spouse, that he highly esteemed the bravery and generosity of his nephew, and would gladly have him for a son-in-law, if he possessed more wealth. This intelligence caused hope to revive in the heart of HASSAN; he sought his uncle, agreed with him on the dowry that he should pay to obtain the hand of his well-beloved, and declared his resolution to set out, accompanied by his brave companions in arms, and conquer the dowry with his lance.

Before leaving the tribe, HASSAN requested his mistress to grant him an interview beyond the tents: he soon sees her run to meet him with the grace and activity of the Gazelle. NAKHUMÉ, terrified at the recital of the dangers which HASSAN was about to encounter through love of her, shed a torrent of tears, and exclaimed, "Dear lover, may Heaven watch over you!" Sobs hindered her from saying more. HASSAN having embraced her, went to rejoin his brothers in arms. They travelled into distant lands, and their errantry was of long duration.

During the absence of HASSAN, a warrior named ASAF, whilst traversing, one day, with some of his companions, the lands that separate the different tribes, mistook his route, and, losing his friends, approached alone the encampment of MAZEN. Whilst he was admiring its rich pastures, he saw near a lake a number of young girls, amongst whom was NAKHUMÉ. She was freely sporting with her companions; she came out of the lake with more brilliancy and glory than the brilliant star of night breaking through a cloud. She smiled and shewed a range of pearls under lips of coral. At this sight ASAF remained immovable, struck by feelings which had been hitherto unknown. His presence, however, was soon discovered, and the reproaches of the females compelled him to retire.

He went slowly away, his heart full of the image of NAKHUMÉ. ASAF was a chief of the tribe of KAHTAN, remarkable for his gigantic size and voice of thunder; he had under his command a numerous army which soon exhausted the country in which it was encamped, and compelled him to seek new pasturages, whose inhabitants fled at the news of his terrible approach. ASAF, on returning home, sent an

old woman of his tribe to discover who was the young lady that he had encountered, especially commanding her to enquire whether she was free or engaged. The skilful messenger soon learned that it was NAKHUMÉ, the daughter of NUJÚM. She also discovered that she was yet unmarried, and hasted back with the news to her employer.

ASAF immediately sent one of his relations to the tribe of MAZEN, with orders to tell NUJÚM that ASAF had seen his daughter, and sought her hand in marriage; that he was willing to pay whatever dowry NUJÚM would demand, praying him to be persuaded that whilst ASAF was his ally, he should never have occasion to fear an enemy. To this proud message he added, that if NAKHUMÉ was not sent according to his desires, he would become master of her person by force, treat her as a slave, annihilate the tribe of MAZEN, sparing not the infant at the breast, widows, or orphans.

NUJÚM replied to ASAF's ambassador, that his daughter was betrothed to his nephew; that he could no longer dispose of her; that he hoped ASAF would not take offence at this unavoidable refusal; that, nevertheless, if he made any hostile attempt, or had recourse to violence, the warriors of MAZEN knew how to defend themselves and protect their wives and children. This answer only increased the passion of ASAF; he swore that he would make himself master of NAKHUMÉ, and treat her as a slave.

HASSAN returned in the midst of these negotiations with a considerable booty of flocks, camels, and rare and precious commodities. He paid the stipulated dowry to his uncle, and set apart one hundred sheep for the nuptial feast. When he learned the menaces of ASAF, he exclaimed,—“We must not wait until he comes to attack us. I will go and implore the succour of the mighty King ZEER who educated me at his court; I will return with the invincible warriors of ABS and ADNAN, and drive far from our lands this insolent neighbour.”

These words calmed the soul of NUJÚM, who consented that HASSAN should give a feast, to celebrate at once his return and his espousals. For seven days the MAZENIANS enjoyed the revelry. On all sides songs of gladness were heard and groups of dancers seen. On the eighth day NAKHUMÉ, clothed in a magnificent robe, was about to be united to her cousin, when the ceremony was interrupted by the arrival of some travellers, bringing intelligence that ASAF had assembled an immense force in order to attack the tribe of MAZEN. They added, that EBN-HASSAN and EBN-MESSAD had already reached the rendezvous with the tribes of ASSED and JANI, and that AUF, the TERJEMIDE, had joined them, burning to efface the memory of his former disgrace.

When the elders of the tribe of MAZEN heard this news, they came in a body to NURUM, and declared their inability to resist such a combination of forces, when they were scarcely able to compete with ASAF alone; they, therefore, advised him to give his daughter to this dreadful warrior rather than bring ruin on his relations, his friends, and his entire tribe. NURUM was terrified, but could not bring himself to sacrifice his daughter. By many tears and prayers HASSAN obtained a delay of ten days to devise means for repelling the enemy.

Attended by a hundred horsemen he hastened to King ZEER, and found him in the midst of his renowned warriors, shining like the silver luminary of night in the centre of heaven's azure vault surrounded by stars.

King ZEER kindly encouraged the youthful HASSAN, promised him the succours he required, commanded Prince MALIK to go in person and deliver the tribe of MAZEN from the oppression of ASAF, and placed under his command a thousand of his bravest warriors.

ANTAR, full of warlike ardour, exclaimed,—“This ASAF merits not that my prince should expose himself to such fatigues, I alone will accompany this young man and deliver him from his enemy, even though he should be KHOSRAU, the mighty king of Persia!”

King ZEER smiled at the bravery of ANTAR; he knew that he was capable of executing the boldest enterprises; he appointed him as lieutenant to the prince; and having ordered refreshments to be distributed to HASSAN and his companions, he invited them to profit by the night and enjoy the blessings of repose.

HASSAN tasted not the pleasures of sleep, he impatiently waited the morning, and scarce had the dawn appeared when all his warriors mounted their steeds. Prince MALIK with difficulty tore himself from the arms of his brethren. ANTAR embraced his father SHEDAD, and heaved a deep sigh when he reflected that he was about to be separated for some time from his beloved ABLA.

The warriors of ABS, wearing brilliant cuirasses, were mounted on steeds of the best Arabian blood. Prince MALIK marched at the head of the column on a superb charger, the gift of his royal father; he had stirrups of massive gold, and a helmet of exquisite polish. ANTAR rode near him on his faithful Abjar, a steed with the form and tread of a lion. The unwearied foot-warrior, SHÉIBÚB, a quiver on his shoulder, marched by the stirrup of his brother ANTAR. During their march Prince MALIK endeavoured to divert his friend from the gloomy contemplations that overwhelmed his mind; but seeing that he could not make HASSAN forget his tribe surrounded by enemies, and his dear NAKHUMÉ threatened with slavery, he turned to ANTAR

and begged him to chaunt some song of battle. ANTAR, full of warlike ardour, enthusiastically sung,—

Oh ! how delightful is the gleam  
That flashing sabres shed ;  
How dear to me the sparks that stream  
From every lance's head !

I burn with ardour for the fight,  
Grim death I long to dare ;  
The hero's soul no terrors blight,  
War—war's his only care.

Onward the charging squadrons ride,  
Fierce is their coursers' speed ;  
The clouds of dust thick rolling, hide  
Full many a glorious deed.

The night of war obscures the day ;  
But, breaking through the storm,  
High waving swords and spears display  
The comet's awful form.

Honour to him, who knows no fear,  
But seeks the thickest fight ;  
While thousands fall before the spear  
Held by that arm of might.

He wields his sword, that drips with blood,  
As calm in danger's hour,  
As if from peril far he stood  
In some sequestered bower.

Brother-in-arms ! when we advance  
United to the field,  
Our foes give way, and KAHTAN's lance  
Is broken on our shield.

Shame to the coward ! wretched slave,  
His life shall know no friend ;  
And, when he dies, above his grave  
No weeping fair shall bend.

But when I fall, o'er me be said—  
“ A lion sleeps below ;  
Whose prowess filled his foes with dread,  
And saved his tribe from woe.”

All his companions in arms applauded him, and made him repeat the song, which they sung in chorus with him.

The sons of ABS and MAZEN had been now two days on their march, when ANTAR, who had separated from his companions to travel alone on the crest of the mountain, saw, in a deep valley, two cavaliers engaged in deadly conflict. Pressing the flanks of Abjar, he dashed towards them, and ordered them to suspend their rage. The combatants separated at his command; and one of them came up to him, shedding tears. ANTAR consoled him, and inquired the cause of the quarrel.

"Sir," said the unknown, "we are two brothers; my adversary is the elder. Our grandfather was called AMARA, the son of ARIS: he had numerous flocks and herds, amongst which was a remarkable she-camel, fleet in the race as the bird of the desert. One day, missing this camel from the herd, he asked the herdsman the cause. He replied, that the animal having gone astray, he had chased her for some time without being able to overtake her; that at length he had thrown a black shining stone at her, which penetrated her side, and the camel fell dead on the spot. Our grandfather deeply regretted the loss of his favourite; he mounted his horse, and was conducted by the herdsman to the spot where she lay. He found the black stone stained with blood. As he had great knowledge, he at once knew that this stone was a piece of meteoric iron. He brought it home, and had a sword manufactured from it by the most celebrated armourer of the day. When the weapon was finished, its maker, an unrivalled artisan, presented it himself to my grandfather, and said, Behold a precious weapon; it only wants an arm worthy of wielding it. My grandfather, irritated by the insolence of the armourer, raised the sword, and with a blow more rapid than lightning, struck off his head.

"Dami (the bloody), for that was the name given to the sword, had a sheath of massive gold, and the pommel was garnished with precious stones. My grandfather laid Dami up in his treasury. Fifteen years afterwards he died. My father inherited the sword, with the rest of his weapons. On his death-bed he summoned me to his side, and said, with great kindness: I feel that I have but a short time to live; take this weapon, said he, giving me Dami; it will make your fortune. If you present it to the great KHOSRAU, king of Persia, or any other monarch, he will load you with wealth.

"I received the boon with gratitude, and buried it here by night. In a short time my father died, and we rendered him due funeral rites. My brother took my father's place, but gave me no share of his possessions: when he examined the armoury, he missed Dami, and accused me of having stolen it. I denied at first; but was at length

constrained to bring him to the place where I had buried it. I searched unsuccessfully ; for, having concealed it during the darkness of night, I was unable to find the spot again. My brother accused me of deception, and, in spite of my solemn oaths, rushed upon me sword in hand. I was forced to defend my life, when your fortunate arrival put an end to our detestable combat : it is your part, Sir stranger, to decide between us."

ANTAR turned to the other warrior, and asked, why he tyrannised over his brother ? why he refused him a fair share of his father's property ? The elder brother, enraged at being thus addressed by a stranger, replied with a blow of his sabre. ANTAR saw the movement, anticipated it, and with a blow of his lance, inevitable as the decrees of destiny, struck him in the middle of the breast ; the point of the lance came glittering out through his back ; he fell dead to the earth. The young Arab kissed the hand of ANTAR ; and returned to his tribe, blessing his benefactor.

After his departure, ANTAR, proud of his triumph over the unknown, resolved to rest himself for a short time in the valley. According to custom, he wished to fix his lance in the ground before he dismounted ; but thrice the lance, that pierced the hardest cuirasses, could not penetrate the sand. Surprised at this prodigy, ANTAR sprung from his courser, impatient to learn the cause : he stooped down, and discovered an enormous sword, adorned with gold and precious stones. ANTAR, transported with joy, revered the decrees of Providence which had placed the famous Dami in his hands. He hurried to his companions, and presented to Prince MALIK this weapon, worthy of a monarch, relating how it had fallen into his hands. MALIK, after having admired it, returned it to ANTAR with these words : " It is just that the best weapon in the world should belong to the bravest warrior of his age." All his companions congratulated MALIK ; and continued their journey, delighted with this favourable omen.

Having reached a vast level shaded by plane-trees, whose height wearied the eye, the sons of ABS resolved to halt near a limpid fountain, when suddenly they beheld at a distance five hundred warriors, locked in steel. They were advancing towards them. The Absians halted, with extended neck and steadfast gaze, seeking to discover whether they were enemies. In the mean time the column advanced majestically ; and, when it came within bow-shot, the cry of war was instantly raised on both sides.

GAIDAK, son of SUMBUSSI, and chief of these warriors, was overjoyed at meeting with ANTAR and the Absians. He exclaimed : " At

last I am about to avenge my father! At last I am about to efface my shame!"

GAIDAK, in his infancy, had been made an orphan by ANTAR. When he reached the age of manhood, he shewed so much spirit and courage, and acquired so much glory throughout Arabia, that he was deemed worthy to succeed his father in the chieftaincy of his tribe. He used his supremacy to increase his glory, and to secure the happiness of the families that surrounded him.

A certain kadäa, jealous of the dignity conferred on GAIDAK, incessantly reminded him that his father had been slain by ANTAR; and, with the hope of destroying him, urged him to defy that hero. GAIDAK set out with this noble purpose; but he received a summons to join ASAF, and was compelled to return.

In the mean time night was coming on, and both parties contented themselves with kindling watch-fires, and posting guards. As soon as the dawn appeared, the two armies were ranged in order of battle. ANTAR sprung upon his foes with a shout that echoed through the mountains: clouds of dust rose above his steed; he overthrew every thing that impeded his progress.

GAIDAK seeing his men routed by ANTAR, hastened to stop the confusion, and rushed towards him. ANTAR beheld him; and with one blow of Dami struck off his head, which rolled to a distance in the dust.

The warriors of GAIDAK, seeing their chief fall, sought safety in flight. The valiant Absians seized the horses and baggage of their routed enemies, and continued their march.

They had now only a short space to traverse in order to reach the tribe of MAZEN. HASSAN, impatient to know what had occurred in his absence, requested permission from Prince MALIK to go before him, and announce to the Mazenians the happy arrival of the warriors of Abs. MALIK consented, assuring him that he would not delay to follow.

HASSAN hurried forward, reached the camp, and beheld the ground covered with dead. ASAF had stormed the camp with horrible carnage, and was now marching towards the mountain of Aban, in whose recesses the women and children had sought refuge. HASSAN heard him say to his followers: "My friends! make slaves, pillage and plunder as much as you please; for myself I want nothing; I abandon you every thing except NAKHUMÉ, the daughter of NUJUM."

HASSAN, horrified at seeing the condition of his tribe, dashed into the midst of his enemies; his enraged warriors followed his example. The horsemen of ASAF wheeled round, and death triumphed on every side.

ASAF seeing a young warrior speeding towards him, called out, "Return whence you came; haste not to certain death."

"If I had come sooner," replied HASSAN, "you would not have ruined my country; I bring with me the warriors of ABS, of ADNAN, of FUSERA, and of TIBIAN; they will make you repent of your violence. I am the husband of the lady you seek to carry off: I have come to chastise your audacity.

ASAF raised a terrible shout: "Wretch! not the Absians, nor all that yon glorious sun illuminates, can terrify me!" Thus speaking, he sprung like a furious lion on HASSAN, forbidding any one to approach, anxious alone to glut his rage.

The two heroes assailed each other, animated by equal fury. After a long and obstinate combat, HASSAN, feeling his strength begin to yield, sought to fly. ASAF pressed him vigorously, and was about to give him a mortal blow, when the Absians came up with the speed of falcons.

Prince MALIK had, likewise, quickened his march; arriving a short time after HASSAN, he had recognised the disastrous situation of the children of MAZEN, and flew to their succour. ANTAR looses the bridle of the fiery Abjar, from whose four feet bright sparks are struck, and dashing onward, separates the two combatants.

The sight of these warriors revived hope in the bosom of the Mazenians; they returned to the battle, admiring the valour of ANTAR, who mowed down the best of the hostile warriors.

Prince MALIK rushed against MESSAD-EL-KELBI, a warrior of great valour and high nobility, whose numerous friends and relations hastened to his aid. The prince encountered a fierce resistance; three of his warriors already fell by his side; he was about to be surrounded. ANTAR heard his voice, cut a passage to him, and attacked MESSAD-EL-KELBI. A dreadful struggle took place between these two warriors, equal in strength and courage. At length ANTAR struck his adversary's steed with the terrible Dami; the animal fell, and would have crushed his master, had he not been protected by his cuirass. MESSAD-EL-KELBI fled on foot to the desert, too happy in having escaped certain death.

ANTAR, having disengaged his prince, sees the combat rage every where with the same fury; the presence of ASAF alone held the foes together, and encouraged them to brave death: he hurled himself upon him, and pierced his right side with a blow of his lance. ASAF fell, bathed in blood: his friends, anxious to avenge his death, threw themselves in crowds upon ANTAR. He receives them undismayed; SHEIBUB is behind him, piercing with his arrows those who seek to turn his flank.

In the mean time the crowds augment, but **ANTAR** bursts through the mass with the impetuosity of the northern blast.

The children of **ABS** and **MAZEN** redoubled their efforts ; they put their enemies to flight, who, no longer having a chief, dispersed themselves on all sides, and abandoned the field of battle. The **Mazenians** returned to their hearths, singing the praises of Prince **MALIK** and the intrepid **ANTAR**. The next morning they celebrated the nuptials of **HASSAN** with the greatest rejoicings.

The **Absians**, after four days of rest and festivity, set out on their return, accompanied by the principal chiefs of the **Mazenians**. When they were near the dwellings of their tribe, **ANTAR** sung with a loud voice :—

How rich with delight are the breezes that blow  
O'er Alam's sweet bowers of palm ;  
When around me at morning they tranquilly flow,  
And shed o'er my spirit a calm !

In vain are the **Absians** harsh and unjust,  
In vain have they broken their faith ;  
In my zeal for their safety they still may place trust—  
Love binds me to shield them till death.

Were **ABLA** away, I'd seek some distant land,  
But her beauty detains me a slave ;  
No strength the bright glance of her eye can withstand—  
It would raise up a corpse from the grave !

The sun says to her, as he sinks in the west,  
" Light the world, dear, whilst I am away ;"  
The moon, when she sees her, with envy possessed,  
Withdraws from the sky her pale ray.

The aspen and cypress display not such grace,  
As they wave their light branches on high ;  
Such majesty none in the palm-trees can trace,  
Though their summits be lost in the sky.

A veil o'er her charms **ABLA** modestly throws,  
Concealing the brow arched and high ;  
The cheek, where eternally blushes the rose,  
And the lightnings that flash from her eye.

But still through the delicate covering steals  
Her breath, that perfumes all the air ;  
The beautiful play of her limbs—it reveals  
Their form, so soft, rounded, and fair.

O daughter of MALIK ! may merciful heaven  
Lend an ear to the tale of my woes !  
The wounds with which absence my bosom has riven,  
In thy presence only can close.

Art thou still in these tents ? Shall our union be found  
In Sherbè's bright valleys of bloom ?  
I feel that I quench, while I kiss the dear ground,  
The flames that my bosom consume.

I am ANTAR the Absian ! shield of my race !  
Death o'er me dominion may claim ;  
But ne'er shall oblivion the glories efface  
That my deeds have procured for my name.

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## ANALYSIS OF WORKS.

ART. XI.—*Account of the Sabda Kalpa Druma; a Sanskrit Encyclopædical Lexicon, published in Calcutta by RĀDHĀKĀNTA-DEVĀ : by Dr. R. LENZ.*

THREE volumes of this valuable work, comprising each nearly 1000 pages in large 4to, are now in the library of the ROYAL ASIATIC SOCIETY, presented to it by the learned author. This portion perfectly justifies the high character which Professor WILSON gave the work in the first edition of his Dictionary in 1819; anticipating only from a few sheets, then printed, how inestimable a store of authentic information on a variety of subjects connected with Sanskrit literature, would be laid open by this admirable undertaking, the extensiveness of which did not, however, admit a hope of its speedy accomplishment. RĀDHĀKĀNTA's work is very distinctly and, generally speaking, accurately printed in the Bengal character; and derives, certainly, not the least part of its superior character to the generality of Indian printings, from being alphabetically arranged in the European method. A great part of its articles have, indeed, become comparatively of inferior importance since the appearance of the second edition of Mr. WILSON's Dictionary, where every additional information, supplied by the learned Hindú on the different meanings of words, has, of course, been carefully reproduced by the celebrated lexicographer, who was then already in possession of the three volumes before us, excepting a few sheets at the end of the last. Our recommendation, however, of these volumes is not so much founded on the *lexicographical* as on the *encyclopædical* portion, which forms by far the most copious and interesting part of the whole; although the first-mentioned articles even have a fair claim to the attention of the Sanskrit student on account of their ample specifications of synonymes, collected from all *koshás* of celebrity and their commentaries, so as to supply, in some measure, the deficiency of a dictionary, *English and Sanskrit*, or that of an index, pointing out for any meaning all the variety of Sanskrit expressions. The method adopted by the author, in articles of a merely *lexicographical* nature, is, next to the word in question, to note its gender, if a noun, or, if not, its grammatical character; then to give a short definition of its

meaning, by mentioning the class of beings or ideas to which it belongs; next to explain it by the corresponding expression in Bengali, sometimes also in Persian; after which he proceeds to the *paryaya*, or list of synonymes in Sanskrit, which sometimes amount, as in the article *Chandra*, to the number of one hundred and more, noticing always their respective authorities. There are, however, not many words in Sanskrit which may not be employed with some particular or technical sense in any of the different and highly-cultivated departments of its literature; nor do the proper names, belonging to mythology, form an inconsiderable part of its vocabulary. Our object is now to shew in what manner the author, after those general topics of discussion before mentioned, proceeds to technical or mythological commentaries on such of his articles as require them. This we shall do, by mentioning the different parts of literature to which his information extends, the sources to which he refers, and from which copious extracts are very frequently given; and, by occasionally selecting such specimens as may be calculated, to convey an idea of the nature and usefulness of a compilation, which every Sanskrit scholar (especially on the continent, where there are no extensive manuscript collections to make up for the imperfections still felt in the printed store of Sanskrit literature), should feel most anxious to consult; although, some years may still elapse before any portion of the work will be at the service of European readers in general. As the author of this report has had no opportunity of accurately examining more than the first volume, which contains the letters from अ to च, his communications ought not to be considered as applying only to the most important or interesting subjects elucidated by *Rādhākānta*. On the contrary, he thinks he has met with comparatively more extensive and instructive articles in the two following volumes (reaching to the last word beginning with च); a description of which will, probably, likewise appear on a future occasion.

We hardly need observe, that on one part of Hindú antiquities—that comprised within their *sacred literature*, no information at all is to be expected from a book, published by a faithful believer in the Bráhmanical doctrines, which prohibit any communication of the *Veda's* to the public in general, as the author positively declares in the article *Gáyatrí*.<sup>1</sup>

All the *religious* articles extend, therefore, merely to the popular way of worship, as taught in the *Purána's*, *Tantra's*, *Máhátmya's*, and ritual works of the different sects, specimens of which occur in

<sup>1</sup> *Asyá vaidica-tántrica-dhyána-dvayam guhyatvād atra na likhitaṃ.*

great number. Among the Puranical writings recourse is most frequently had to the *Brahma-Vaivarta*, *Márcandeya*, *Pádma*, and *Bhágavata-Purána*, the *Deví-Máhátmyam*, and *Bhagavad-gítá*, the *Rámáyana*, *Mahábhárata*, *Hari-Vansa*, &c., with their commentaries. The *Tantra* fragments are generally taken from the *Tantra-Sará*, an abridged collection of the principal revelations and precepts contained in this numerous class of writings. Religious observances connected with certain days, hours, and astronomical events, are described according to the *Tithi-Tattva*, *Samayámrita*, *Ahnika-Tattva*, *Mala-mása-Tattva*, and other books, partaking both of a religious and astronomical character. Authentic documents of the doctrines of the *Chaitanya* sect are frequently met with, chiefly taken from the *Ananta-Samhitá*. Instead of dwelling longer on this not very attractive part of the compilation, we only subjoin a specimen of mythological explanation, given under the head *Gáyatrí*, before mentioned :—

“ As a goddess, she is the consort of BRAHMÁ, according to the following passage of the *Padma-Purána*. SÁVITRÍ, the wife of BRAHMÁ, was called upon by SAKRA, in the character of BRAHMÁ’s officiating sacrificer, speedily to attend the holy rite, to which all the *Agnis*<sup>1</sup> had already assembled about her husband. SÁVITRÍ said : “ LAKSHMÍ has not yet arrived, nor SATÍ ; besides I see SAKRÁNÍ approach to a private ceremony to which I invited her. Go and tell VIRINCHÍ (BRAHMÁ) to wait a moment ; I do not wish to proceed alone before the other women arrive.” While she was thus talking, the priest left her, went to BRAHMÁ, and said : “ The goddess SÁVITRÍ is too bashful to come without the company of her friends, and is engaged in some domestic concern : yet time is passing away ; tell me, father of the gods, what is to be done ?” Hearing this, the god said, not without resentment : “ Then I must look for another wife, not to neglect the proper time of my sacrifice ; fetch me any female as soon as possible.” With this commission SAKRA went to the earth ; and seeing many women, his eyes were particularly attracted by a beautiful shepherd girl. “ Who are you, virgin, with the fine eye-brows ; whence do you come ; and why are you standing thus alone on the road ?” To these questions the girl answered modestly : “ Sir, I am a cow-herd’s daughter, and stay here to sell milk and ghee ; take some, if you like.” Without answering, SAKRA took her by the hand and introduced her to BRAHMÁ, who was so much captivated by her fine-shaped eyes and modestly trembling speech, that he instantly wished to marry her, according to the *Gandharva* practice. While

<sup>1</sup> The *Puránas* speak of forty-nine *Agnis* ; viz. the original god of fire, with his three sons, and forty-five offsprings of the latter.

the maid, guessing and returning his feelings, stood lost in thought on what she esteemed a higher bliss than had been bestowed on any woman, MAHÁ-VISHNU said to BRAHMÁ: "Lord of the gods! this most blessed woman is to be GÁYÁTRÍ; favour her by uniting her hand to yours." So the great father of beings made her his wife by the *Gandharva* marriage."

Now follows, as it generally does in such articles, a description of the goddess in her mythological appearance, with her attributes, under the title, "*Asyádhyanam*," taken from the same *Purána*: "White art thou, and gentle like the moon; full and tender are thy limbs, like the soft leaves of the plaintain-tree; in thy hands thou bearest the horn of a deer, and a pure lotos-flower. Thou art dressed in a linen attire of an admirable red colour; rays, like those of the moon, proceed from the string of pearls on thy neck; a heavenly brightness from thy ear-rings, and a multitude of moons from thy threefold crest and glittering hair-string; thy arms shine through the world like white snakes; thy bosom, O goddess! is juvenile, and of a perfect proportion, &c. . . . Thus thou proceedest through the three worlds, purifying all beings."

An enumeration of the blessings, promised to those who address the deity in the described manner, generally forms the conclusion of articles relating to religious and mythological subjects.

Still more, than in these, the author indulges in comments on *merely ritual* topics, giving the most detailed precepts for the different sorts of *Sráddhá*, particularly in articles relating to moral offences, and the respective ways of expiating them. Under the head *Karma-vipáka*, tables are inserted filling eleven pages, and divided into three columns, the first of which points out the different sorts of offenders, beginning with *Brahmahá*, and ending with *Dwija-vastra-hrit*; the second, the diseases and evils supposed inevitably to follow the perpetration of those crimes, as their punishment, if not averted by the corresponding *Práyas-chitta's*, or penances, which are described in the third column. Articles of the same description, not less extensive than this, occur also in the subsequent volumes.

More important, perhaps, to European readers will be found the accounts of the origin and genealogy of the castes, and their numerous subdivisions, a great deal of which is evidently furnished from very modern sources; as, for example, the tale of the first appearance of the *Káyastha* tribe in the kingdom of *Gauda*, or *Gour*, under the reign of ADISÚRA, who is said, in this story, to have expelled the Buddhists from his kingdom. The authorities, most employed on this and similar occasions, are the *Kula-dípiká* of *Rámánanda-Sarmá*,

called a *Ghataka* of Bengal, the *Kula-panjicá* of *Bharata-Mallika*, and several provincial *Sástras* on genealogy.

Our knowledge of *Indian law*, in a more precise sense of the word, will scarcely derive any material increment from a compilation, whose principal communications on this point are all taken from standard works already printed, and, for the most part, investigated and translated by learned Englishmen. The usefulness of what relates to this subject in the work before us is, therefore, only that of an index.

The copious extracts from *mathematical*, and especially *astronomical*, writings, undoubtedly are among the most acceptable of the gifts with which the learned author has favoured us, little or nothing being as yet published of the texts of literary monuments, already so highly accredited by the western public, as the *Súrya-Siddhánta* and *Siddhánta-Siromani*. Under the title *Khagola* (the ethereal sphere), plates are given, representing in an expedient manner, the arithmetical proportions of the planetary orbits and revolutions, and the distribution of the zodiac, according to the *Súrya-Siddhánta*. These extracts form a part of the materials used by Mr. DAVIS, in his essay on those subjects in the second volume of the *Asiatic Researches*. The *Lílávatí*, the *Siddhánta-Manjarí*, the *Dípíká*, the *Fyotisha-tattva*, the *Koshthí-pradípa*, and other works, are also frequently quoted; some of which, as the *Lokaprasiddhih*, are consulted on *geographical* questions exclusively. Extracts from *astrological* systems on the influence of the celestial bodies on human actions and situations are innumerable.

Much curious information is contained in the extracts from *medical Sástras*, comprising, at the same time, all branches of *natural history*, as far as known to the Hindús. Some of them, as the *materia medica* of RÁJA-NIRGHANTA, seem to be copied here almost completely. Elaborate descriptions of diseases, of their causes and symptoms, and of the means and manner of curing them, are borrowed from the celebrated medical author MÁDHAVA, whose precepts are generally cited under the title *Nidána*; from the *Bháva-Prakása*, a work comprising pathology and *materia medica*; from RÁJA-BALLABHA; from the *Pathyápathya-viveka*, the *Vaidyaka-paribhášhá*, &c. Accounts of animals, plants, and stones, used for superstitious and other purposes, may also be found in some fragments of BHOJA-RÁJA's *Yuktikalpa-taru* (as under *Gomeda*, *Chámara*, *Ghotaka*, &c.), and from a work called *Sukhabodha*. We select, for translation, one of the shortest medical articles:—

“ *Kása* (cough) is a disease, called *Kási* in Bengal, and known, in Sanskrit, also under the name *Kshabathu* (see the *Amara-Kosha*). Its

origin (*Nidānam*) and developement (*samprāptih*) are told in the following manner: From injury done (to the chest) by smoke or dust, from harsh labour and indigestible food, from excess in sensual enjoyments, and from suppressing the ejection of slime (*vegāvarodhāt kshayathoh*), the breath (*prāna udānānugatah*) becomes affected. The following remaining words of this stanza contain the *symptoms* (*lakshanam*) of the disease: A nasty tone like the noise of a broken copper instrument (*kāmsya*) immediately proceeds from the mouth, therefore this illness is called *Kāsa* by the learned. There are *five species* of *Kāsa*, as described in the following verses: Five sorts of cough are mentioned; 1, A cough of bodily air; 2, of bile; 3, of the phlegmatic humour (*sleshma*); 4, a cough of inflammation; 5, a cough of consumption. In comparison with the last, the others are insignificant; and they are all enumerated in the order as they increase in severity. The first appearance (*pūrvārūpam*), common to all of them, is a sensation in the throat and mouth as if they were full of acorns (*sūka*), an itching in the throat, and a difficulty of swallowing. The *airy* (*vātica*) cough shows itself by pains in the breast, head, belly, and side, by thinness in the face, by a loss of strength, voice, and gloss of complexion, and by a dry and protracted manner of coughing, interrupted only by drawing breath. A *bilious* (*paittica*) cough is indicated, when the patient feels a burning pain in the chest, fever, thirst, dryness, and bitterness in the mouth, and casts out a substance yellow and pungent from a mixture of bile, his complexion becoming likewise of a yellow tinge. Being seized with the *phlegmatic* (*ślaishmica*) cough, the person languishes with a parched face, is oppressed with headach, and an excessive increase and thickness of phlegmatic humour (*kapha*), is exhausted by the vehemence of the illness, if not instantly taken care of, and violently ejects ingredients of the phlegmatic humour. A *cough of inflammation* (*kshataja*), comes on when the wind seizes a person's breast, irritated by excess in sexual embraces, by carrying heavy burdens, by marching, fighting, or by riding on a horse or elephant. A man so affected would first shew a dry cough, then begin to eject blood with a sharp pain in the throat, and a sensation in the chest as though it were bursting asunder, and stung with sharp needles, or perforated by a murderous weapon; labouring, at the same time, under rheumatic pains (*Parvabheda*), fever, asthma, thirst, and deficiency of voice, the individual seized with the blood-cough groans like a dove (*Pārāvata*). The fifth species is thus described: In the expiring fire of life of persons ruined either by irregularity in eating, extravagance in love, or want of digestion, or by a too irascible or too melancholy temper, three destructive sediments (separate themselves and) produce

the consumptive cough, which consumes the body.<sup>1</sup> The individual subject to this illness suffers sharp pains in the body, fever, burning heat, swoons, and want of breath; and, while he is dried up, and his flesh disappearing gradually, he ejects blood mixed with matter. This kind of cough, which unites in itself the symptoms of all the others, is called consumptive by the writers on medicine, and considered as fatal. The blood-cough is also dangerous (*yápya*), though curable (*sádhyā*) in a strong constitution. Both species may, however, sometimes be cured, if opposed by efficacious remedies (*Páda-guṇánvita*) at their earliest period. Every cough of decrepitude (*Fará-kásah sthviránám*) is said to be dangerous (*yápya*). The three first-named sorts may be cured by good regimen, though they are sometimes also of a dangerous nature. So says MĀDHAVA."

A translation of some of the medical receipts contained in the book would, perhaps, have been a more curious specimen in this place; but as many of the professional terms used in such prescriptions cannot, without the assistance of a learned native, be quite safely identified with the European denominations, supposed to be their equivalents, we prefer abstaining from any such attempt, and conclude our communications on this point, by translating from the article *Chikitsá* some general hints, given to medical men, by the author of the *Bhāvapracāsa*.

"A disease ought to be subjected to medical care from the first moment of its appearance, and not to be neglected on account of its lightness; for sickness, like fire, poison, or an exasperated enemy, has the power of destroying, however little it be. Let the physician first reflect upon the illness, then upon the medicament; after this he may begin to act according to the insight thus obtained. Those who, knowing only how to prepare medicine and nothing of its nature, undertake to practise the medical profession, deserve to be sentenced to death. From the beginning to the end of the disease, the physician must endeavour to ascertain its character and to prepare the suitable remedies: this will enable him to begin his cure with safety. In cold weather (or, perhaps, in a cold state of the patient's body), he must order medicine against the cold; in the heat (of the season or body) he must equally act against the heat; and, in pursuing his adopted method of healing, he must never let slip the proper moments for

<sup>1</sup> The words of the text, which is in this place obscure, and perhaps spurious, runs thus:—

"Vishamāsátmyabhojyátivyaváyád veganigrahát  
Ghr̥inínám sochatám nr̥inám vyápanne 'gnau trayo maláh  
Kupitáh kahayajam kásam kuryur dehakshayapradam."

putting it in practice, for medicine applied *after* the right time, or neglected at the right time, as well as a *deficiency* or an *excess* of it, may render a curable illness incurable. When one medicine does not succeed, let another be tried ; but if the disease be alleviated by the first, no variation of method is to be made. The rewards (*phalam*) of the medical practice are either wealth, or friendship, or virtue, or renown, or practical ability. Its conditions (*Chikitsāngāmi*) are — 1. A patient ; 2. A messenger ; 3. A physician ; 4. Vital power ; 5. Money ; 6. A nurse ; 7. Good medical materials.”

On the *philosophical* contents of this compilation we may repeat what we said of those belonging to jurisprudence. Their usefulness chiefly consists in giving a combined review of the different ideas connected with some words according to the different *darsanas* or systems, although these reviews are not always as complete as might be wished. The system on which the most careful compilations are made is the *Nyāya*, and next to it the *Vedānta*. The authorities, however, here quoted, appear not to extend beyond the *Bhāshā-parichheda*, *Siddhānta-muktāvali*, and *Vedānta-sāra*, works sufficiently known and not of the most instructive nature.

Rules on *Alankāra*, or *poetry and rhetoric*, form a very essential part of this work. The authorities referred to are the *Sāhitya-darpana*, *Kāvya-prakāśa*, *Kāvya-chandrikā*, *Kāvya-darsa*, *Chandrāloka*, *Rasamanjari*, *Alankāra-kaustubha*, *Sarasvatī-kanthābharana*, &c. The work most consulted on *Chhandah*, or *prosody*, is the *Chhandomanjarī*, a handsome and useful little book, representing the different kinds of metre by schemes and examples so constructed as to give the rule and name of each, together with a fine specimen of its structure, which is all we want in this department of Sanskrit literature. It is the basis of Mr. YATES' remarks on this subject at the end of his Sanskrit-grammar, and RĀDHĀKĀNTA favours us with almost a complete edition of it under the article *Chhandah*, in the second volume. It is highly desirable that this article should be separately reprinted. KĀLIDĀSA's *Srutabodha*, a smaller work of the same description, is also quoted occasionally. The article *Alankāra*, filling twenty-one pages, gives an alphabetical index of 122 terms, used to design as many forms of poetical expression (*Alankāra-nāmāni*), with their corresponding explanations (*Lakṣhanāni*), and examples (*Udāharanāni*), taken from the *Chandrāloka*, and, where that authority does not extend, from the *Sāhitya-darpana*. The whole of this article will be considered by the Sanskrit student as a welcome supplement to the contents, already in his possession, of the work last mentioned. In themselves the remarks of the *Chandrāloka* are too short to com-

pete in usefulness with those of the two printed authorities on these subjects.

The articles relating to *music* are all taken from the *Sangita-dāmodara*, or *Sangita-darpana*, a work less extensive, and probably more modern, than the *Sangita-ratnācara*, which is cited by MALLINĀTHA (v. MĀGHA-KĀVYA, Comment. on I. 10), an author of the twelfth or thirteenth century according to Mr. WILSON. We here translate a part of the article *Gītam*.

“ Song (*Gītam*) implies *Dhātu* (melody) and *Mātu* (measured text.) The first signifies *sound*, the last a combination of syllables (*Akshara-sanchaya*). There are two kinds of singing, either *instrumental* (*Yantra-gītam*), or *vocal* (*Gētra-gītam*). The one is produced by flutes, lutes, &c., the other by the mouth only. According to another principle it is divided into *bound* and *unbound* singing (*nibaddha* and *anibaddha*). The latter dispenses with fixed prosodical regulations (*varnādi-niyama*), or any thing not comprised in the precepts of those who know the different modulations of voice and the management of tone (*Gamaka-Dhātu-jñaiḥ*);<sup>1</sup> the former, on the contrary, is connected with time (*tāla*), measure (*māna*), and poetical expression (*rasa*), and is subjected to metrical rules by those who unite a knowledge of prosody with the mere musical acquirements before mentioned. Recitation (*Pāthyam*), sprung from the *Rig-veda*, song (*gītam*), from the *Sāman*, the mimical arts (*abhinayāḥ*), from the *Yajuk*, and the passions, as subjects of poetical expression (*Rasāḥ*), from the *Atharvan*. An entertainment (*Ranga*), where songs, adapted to time and musical instruments, are performed by dancing-girls with corresponding gesticulation (*nrityasyānugatam*), is called *Sangītam*, or *Sangītakam*. Praise of song: A man whose mind is not delighted by pleasant music is deceived by his fate, were he even the mightiest prince of the earth. Song and music are revealed by *Sankara*, the supreme lord himself, for the recreation of the virtuous, who are vexed by the griefs of terrestrial existence. Song, instrumental music (*vādyam*), and pantomime (*nrityam*), are called the triad of harmony (*Taurya-trikam*). The word *Túrya* means the large drum (*mridanga*); sometimes it also implies the small drum (*muraṇja*). If the singer does not, by his singing, obtain the highest possible happiness (*paramam padam*), he will certainly do so by partaking in

<sup>1</sup> *Gamaka* is said in the *Sangita-Ratnācara* to be a pleasant trembling or modulation of the sound (*Svarasya-kampo-gamakah-srotri-chitta-sukhāvahah*); many varieties of it are mentioned. *Dhātu* is of four kinds; the originating (*Udgrāha*); mediating (*Melāpaka*); standing (*Druva*); and concluding or expiring tone (*Abhoga*).

the pleasures of SIVA, whose follower he is. Even the birds are attracted by charming song to the musical stage, the snakes approach from the forest, the children cease to cry, &c. . . . Song, a youthful and affectionate wife, pleasant conversation, an airy platform over a stately mansion, a night cleared up by the soft rays of the moon, intelligent and amiable sons, good-hearted and honest servants, pure blossoms of poetry growing into sweet fruits of song, are called the essences of terrestrial life. Again, another division of song is *pure*, *surrounding*, and *mixed* song (*Suddha*, *Sálaga*,<sup>1</sup> and *Sankirna*). Of the first class twenty species are mentioned,—1. *Elá*; 2. *Udyabhavá*; 3. *Karana*; 4. *Panchatálesvara*; 5. *Kairáta*; 6. *Smara*; 7. *Chakrapála*; 8. *Vijaya*; 9. *Gadya*; 10. *Tribhangi*; 11. *Dhenkí*; 12. *Varna*; 13. *Sarah*; 14. *Putá*; 15. *Dvipadicá*; 16. *Muctávalí*; 17. *Máhaká*; 18. *Lambá*; 19. *Dandaka*; 20. *Vartaní*. Each of these twenty airs (*Prabandha-gítánám*), consists of six elements (*Angáni*)—1. *Padam*; 2. *Tena*; 3. *Viruda*; 4. *Tála*; 5. *Páord'ha*; 6. *Svara*. In a provincial (*desiya*), song, repetition (*Paunaruktyam*), omission of syllables by pronouncing them rapidly, anomaly in gender, neglect of *Sandhi*, dissolution of combined *Akshara*'s, transposition of syllables, or disregard of their quantity, are no faults. The following are the species of the *Sálaga* class:—1. *Dhruvaka*; 2. *Mandaka*; 3. *Pratimanda*; 4. *Nisáruka*; 5. *Pratilábha*; 6. *Ekatáliká*; 7. *Yati*; 8. *Yhumari*. The *Sankirna* class has fourteen varieties:—1. *Chaitra*; 2. *Mangalaka*; 3. *Naganica*; 4. *Charchá*; 5. *Atináttonnavi*; 6. *Dohá*; 7. *Bahula*; 8. *Gurubála*; 9. *Gítá*; 10. *Govi*; 11. *Hemnonka*; 12. *Kárika*; 13. *Tripadicá*; 14. *Kámadvishá*."

Nothing will seem more evident from this specimen, than that satisfactory instruction on any of the less investigated subjects of Sanscrit literature cannot be expected from such a compilation as this alone. The assistance of manuscripts, containing the whole of the works, fragments of which are scattered through the volumes before us, is absolutely necessary to obtain a warranted knowledge of all their technical terms. As the writer of this regrets not having leisure enough on the present occasion to confirm, correct, or explain his manner of translating the proposed fragments of DĀMODARA'S work, by consulting the several manuscripts of it in Mr. COLEBROOKE'S collection, he leaves the passage, imperfect as it is, to the judgment of his readers, observing only, that a considerable difference exists between this musical authority and the before mentioned SANGĪTA-

<sup>1</sup> The *Sangita-Ratnācara* always writes this word with a *dental* instead of the *palatal* S. This division seems to imply only *prelusive* and *accessory* songs in opposition to the first class which contains fixed and regulated airs.

RATNÁKARA, as to the arrangement, number, and even denomination of the arts enumerated above.

Under the word *Kalá*, RĀDHĀKĀNTA inserts the following specification of the sixty-four fine and mechanical arts, as mentioned, on the authority of a *Saiva-tantra*, by SRĪ-DHARA-SVĀMĪ, in his commentary on the *Bhāgavata-Purāna* :

“ 1. Singing; 2. Instrumental music; 3. Dancing or mimicking (*nrityam*); 4. Dramatical performance (*nāṭyam*); 5. Painting; 6. Cutting sectorial ornaments; 7. Arranging grains and flowers for religious offerings; 8. Strewing flowers; 9. Painting the teeth, clothes, and members; 10. Working in jewel mines; 11. Making couch-beds; 12. Water-music, meaning perhaps the arrangement of fountains, &c. (*Udaka-vādyam*); 13. Striking water, which seems to be—discovering springs, or digging wells (*Udaka-ghāta*); 15. Twisting garlands; 16. Adorning the head with chaplets and flowers; 17. Dressing players and dancers (*Nepathya-yogāh*); 18. Perforating the ear-laps; 19. Perfuming; 20. Applying ornaments; 21. Juggling; 22. (*Kauchumāra-yogāh*<sup>1</sup>); 23. Slight-of-hand (*Hasta-lāghavam*); 24. Cookery; 25. Preparing beverages; 26. Sewing (*Sūchī-Vāpa-Karmāni*); 27. Playing with threads, or perhaps the play of deciphering sentences couched in abridged forms (*Sūtra-kṛidā*); 28. Proposing riddles (*Praheṭicā*); 29. Capping verses (*Pratimālā*); 30. Composing (or telling) phrases difficult to pronounce (*Durva-chaka-yogāh*); 31. Reading manuscripts; 32. Inventing tales and dramatical subjects (*Nāṭikākhyāyicā-darsanam*); 33. Completing proposed fragments of poetry (*Kāvya-samasyā-pūranam*); 34. Making sticks and arrows of *Patticā*-wood; 35. The management of the spindle (*Tarku-karmāni*); 36. Joinery; 37. Architecture (*Vāstu-vidyā*); 38. Trying wrought silver and pearls; 39. Discrimination of metals (*Dhātu-vādah*); 40. Jewellery; 41. Discovering mines; 42. The medical profession; 43. Putting to fight rams, cocks, and quails; 44. Teaching parrots and *Sārica*'s to speak; 45. Rubbing the body (*Utsādanam*); 46. Striking the hair so as to produce a pleasant sensation; 47. *Akshara-mushticā-kathanam* (dactylology?); 48. Knowledge of foreign literature (*Mlechhita-kavi-kalpāh*); 49. Knowledge of provincial dialects; 50. Knowing the tidings of *Pushpa-sacati* (rains of flowers); 51. Knowing the elements of astrological diagrams (*Yantra-mātrikā*); 52. Knowing the spells to be spoken in mystical exercises (*Dhārana-mātrikā*); 53. Spinning (*Sampātyam*); 54. Making verses extempore (*Mānasī-kāvya-kriyā*);

<sup>1</sup> A word which I know not what to do with unless to change it into *Kausumāla-yogāh*, thief-tricks, a profession agreeing tolerably well with its place in the list and the spirit of the specification.

55. Experience in ceremonial affairs (*Kriyá-vikalpah*); 56. *Chhali-taka-yogáh*; <sup>1</sup> 57. The knowledge of words and prosody; 58. Preservation of clothes; 59. Skill in gaming; 60. Playing with dice; 61. Making toys for children; 62. The knowledge of the Buddhistic mysteries (*Vaináyikinám vidyánám jñánám*); 63. That of the Jaina mysteries (*Vaijayikínám v. jñ.*); 64. That of the *Vaitálika* mysteries. Some manuscripts (says RÁDÁKÁNT), have (instead of our reading in No. 26 and 27), *Súchí-vápu-karma-sútra-kridá* in one word, and insert in the 27th place, *Viná-Damaruka-Vádyáni* (the construction of lutes and hand-drums). Instead of *Vaitálikínám* (No. 64) another lection is *Vaiyásikínám* (which seems to be equal to *Pauránikínám*)."

Whether any complete list of the sixty-four professions considered as *Kalá's* or *Silpa's*, has been given elsewhere, and from another source, I am not aware; but certain it is, that several of those mentioned by Mr. WARD,<sup>2</sup> as preserved in some fragments of the principal authority on this subject, the *Chatuh-shashti-kalá-nirnaya*, by VĀTSĪYANA, are not found in RÁDĀKÁNTA's specification, as for example the arts of the charioteer, the elephant driver, the diver, the shoemaker, the washerman, the prostitute, the warrior, &c. The principle of classification seems, therefore, to have been less generally established on this point than usually. As to the arts themselves, and the manner of practising them, rules on which must undoubtedly have existed in some peculiar *Sústras*, no more particular information is found in the work before us than anywhere else.

The word *Chaturangam*, meaning *the play of chess*, is here called *Aksha-kridá-viseshah*, "a sort of dice-play," and explained by the text of the same passage, of which Sir W. JONES published a translation more than forty years ago in the second volume of the *As. Res.* (p. 159, &c.) It is known from this able translation that the more ancient manner here described of conducting this ingenious play, differs in a considerable degree from its present performance in Asia as well as in Europe. The figures being in their movements determined by dice, is one of the most striking points of difference. There are some stanzas left out as obscure by Sir WILLIAM, which, if sufficiently understood, would perhaps throw every light still desirable upon this curious subject. We do not, however, venture on accomplishing what Sir W. JONES was not able to do with the assistance of

<sup>1</sup> *Chhali-taka* seems to be a particular sort of melo-dramatic entertainment as that performed in the second act of the comedy *Málavicagnimitra*, by the heroine of the play (S. WILSON's *Hindú Theatre*, Lond. 1835, Vol. ii. p. 349). This exhibition is called a *Chhali-taka* in the text.

<sup>2</sup> In the fourth volume of his *View of the History and Literature of the Hindus*, p. 468.

a *Pandit*, who seems to have been either the father or a near relation of our author; for the passage is given by the translator as a fragment of the *Bhāvishyat-Purāna*, communicated to him by his friend RĀDHĀKĀNT, who cannot be the same person with the compiler of the *Sabda-Kalpa-Druma*, as Mr. WILSON styles the latter "a young man," in 1819. In this place the *Bhāvishyat-Purāna* is not mentioned as the source of this interesting fragment, but the *Tithyādi-tattva*, quoted on other occasions as an authority on ceremonial rites. Perhaps the latter work is either considered as a section of the former, or a compilation, where this passage of the above-mentioned *Purāna* has found its place. Its originally belonging to a *Purāna* is, at all events, evident from the style of it. The best we can do, at present, towards rendering this article more known and useful, is to arrange the text of it for publication on the first favourable occasion.

On the *Ars amandī* precepts are given from two *Kāmasāstras*, SMARADĪPIKĀ and RATIMANJARĪ.

Of *profane poetry in general* occasionally referred to, we recollect most frequently having met with fragments of MĀGHA, AMARU, UDBHATA, the KUMĀRA-SAMBHAVA, HITOPADESA, the ethical stanzas of CHĀNAKYA, the BHATTI-KĀVYA, the MAHĀNĀTAKA, MĀLATI-MĀDHAVA, &c.

In his *grammatical* observations, the author, as might be expected, follows the system of VOPADEVĀ, and the explanation of it by DURGĀDĀSA. Reference, however, is also frequently made to the grammar of PĀNINI, the *Sidhānta-Kaumudī*, the *Sankshipta-sāra*, the *Bhūri-prayoga*, the *Supadma-sammata*, and other grammatical treatises. RĀDHĀKĀNTA explains some of the abbreviations used for certain grammatical notions by VOPADEVĀ, which is very useful and necessary, as no other index of them exists, although, in this respect, his compilation is not as complete as in many others.

We beg to conclude our present remarks on this important work with the prediction, that in its remaining portion the author will probably continue to extend its articles in the same proportion as he has evidently done during his preparation of the present volumes, the third of which contains an article of no less than 162 pages on *Prāyaschitta*, analogous in form and nature to that on *Karma-vipāka*, which we mentioned above. We only wish he would no longer prevent his European admirers from reaping the advantage of the portion hitherto printed, but at once make up his mind to send to Europe these three volumes, valuable as are their contents, to be sold separately.

PROCEEDINGS  
OF THE  
ROYAL ASIATIC SOCIETY.

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SATURDAY, DECEMBER 6TH, 1834.

The first Meeting of the Society, for the Session 1834-5, took place this day; the Right Hon. Sir ALEXANDER JOHNSTON, V.P., in the chair.

Among the various donations to the Library and Museum of the Society received during the vacation, and now laid upon the table, were the following:—

From M. Woollaston, Esq., a MS. Catalogue of the Sanskrit Manuscripts in the Hindú College at Calcutta. From Major Pogson, his "Narrative of a Tour to Chateegaon, in 1831;" and his "Memoir of the Mutiny at Barrackpore," &c. From the Zoological Society of London, its Transactions, Vol. I. Part 2. From Professor Garcin de Tassy, his edition, in Hindústání, of the Works of Wali. From Miss Roberts, her work, entitled "Oriental Scenes, Sketches, and Tales." From the Royal Academy of Sciences at Berlin, its Transactions for 1832. From J. Avdal, Esq., twenty-one works in the Armenian language. From Count Dietrichstein, "Metemata Botanica," &c. Part I. (only sixty copies printed). From H. Beaufoy, Esq., "Nautical and Hydraulic Experiments," Vol. I., by Colonel Mark Beaufoy. From the Right Hon. Henry Ellis, an ancient Syriac MS., and a French translation of "Ægidius Romanus de Regimine Principum," in MS. black letter, written in the fourteenth century. From Sir R. J. Wilmot Horton, the Colombo Journal for 1833, and Ceylon Almanac for 1834. From Professor Rosellini, the third volume and plates to "I Monumenti dell' Egitto e della Nubia," &c. From Lieut.-Col. Franklin, his "Remarks and Observations on the Plain of Troy. From Capt. Mackintosh, his Account of the Tribe of Ramoossies. From the translator, through the Right Hon. Sir Alex. Johnston, an English translation of Jacquemont's Letters from India. From W. C. Taylor, Esq., the Foreign Quarterly Review, No. XXVIII.

From Miss Forbes, an original drawing, by a Maltese artist, of an ancient Ruin on the Island of Goza, and a copy, by the same hand, from Newenham's Antiquities of Ireland, representing a ruin in that country, having a great resemblance to the former. From Lieut.-Col. Colebrooke, various specimens of natural productions, and models of instruments, &c. from Ceylon. From T. J. Maslen, Esq., a very curious and unique pack of ancient Hindú Playing Cards; with a description of the same. From the late Capt. Willock, through Sir Henry Willock, eight casts from the ruins of Persepolis, and a brick, cylinder, and whistle, from the site of the ruins of Babylon. From Captain S. Burt, an Assamese shirt, or outer dress.

The thanks of the Society were ordered to be returned to the respective donors.

Lord Viscount Pollington, Col. Stroker, George Stratton, Esq., Capt. S. Burt, and Wm. C. Taylor, Esq., were elected Resident Members.

A paper on the present State and future Prospects of Oriental Literature, viewed in Connection with the Royal Asiatic Society, by W. C. Taylor, Esq., was read to the Meeting, and thanks were ordered to be returned to Mr. Taylor for the communication.\*

### SATURDAY, JANUARY 3RD, 1835.

THE Chair was taken at the usual hour by Colonel WILLIAM BLACKBURNE.

The donations laid on the table comprised :—

From John Murray, Esq., the Quarterly Review, No. CIV. From the Medico-Botanical Society, its Transactions for 1832-33. From Professor Flügel, his "Corani Textus Arabicus," &c. From the Imperial Academy of St. Petersburg, the Memoirs of the Academy for 1833-4. From the Chev. Gräberg d'Hemso, his "Specio Geografico, e Statistico dell' Impero," &c., with maps. From Miss C. Roberts, an engraved portrait, from an original miniature in her possession, of Kasiprasad Ghosh, the author of a poem in the English language, entitled "The Shair." From Rájá Káli Krishen Behádúr, his translations into English of the Twenty-five Tales of Bytal, and "The Fountain of Pleasure to the Learned," with the original text. From Major H. D. Robertson, "The *Kalpadruma* of the Coachmaker's Consecration." A MS. Sanskrit work on a controversial subject, by a Brahmin, written in 1814. According to a letter from Major Robertson, which was read to the meeting, the author of the above work underwent much sectarian persecution on account of the doctrines advocated in it; and that he was compelled, rather than lose his caste, or suffer severe penance, publicly to recant his opinions, and burn a copy of his book by his own hand. He afterwards, however, told the Major that his real sentiments still remained the same.

The paper read at this meeting was a communication from B. H. Hodgson, Esq. of Népál, on Buddhism in that country; and is intended as a corroboration of his former essay on the same subject, published in the second volume of the Society's Transactions. The author considers that Buddhism is not an original doctrine, but that it is derived from Brahmanism, and that there was no priesthood among its followers originally. Some of the extracts from the holy books of the Buddhists are curious instances of the abstruseness of Hindú metaphysics. The paper altogether is highly creditable to the talents and research of Mr. Hodgson, and the thanks of the Society were ordered to be returned to him.

Professor Hippolyte Rosellini, of Pisa, and Cavelly Venkátá Rámaswámi, of Madras, were elected members of the Society.

### SATURDAY, JANUARY 17TH, 1835.

At this Meeting Major Sir HENRY WILLOCK took the Chair.

Among the donations to the Library of the Society, was a copy from the author, John Shakespear, Esq., of his well-known Hindústání and English Dic-

\* Inserted in the present Number.

tionary. This is the third edition of the work; and its utility is now further increased by the addition of an English Index, referring to nearly every Oriental word in the dictionary; so that the corresponding terms may be found with the greatest facility.

A paper by Lieut.-Colonel Sykes, F.R.S., F.G.S., &c. on the Land Tenures of the Dekhan, was read. The author begins by enquiring into the aborigines of that province, which he satisfactorily traces to the Buddhists; and states, that they have a tradition current amongst them giving them a Rajpoot descent. Many interesting particulars relating to the law of tenures in that country are discussed in this paper, and it exhibits much talent and research on the part of its author.

Manockjee Cursetjee, of Bombay, was unanimously elected a non-resident member. This Parsi gentleman has written some very creditable pieces of poetry in the English language. In his letter to the Right Hon. Sir Alexander Johnston, containing his application for admission into the Society, he evinces an ardent desire to make himself useful in disseminating knowledge, and in furthering improvements and civilisation among his countrymen. This letter was accompanied by several certificates of recommendation, signed by no less than forty-one individuals, natives and English, of the highest respectability at that presidency. The election of Manockjee Cursetjee is an instance of the repute in which this Society is held by the natives, and augurs well for its becoming more generally supported by them.

The Chairman notified that the next meeting, on the 7th of February, would be special, in order to lay before the members a proposition of the Council that the Society should present Lieut. Burnes with a diploma constituting him a resident Member of the Society, and conferring on him all the rights and privileges of the same, as a mark of the high sense the Society entertains of the many valuable additions he has made to our acquaintance with the East by his researches in Western Asia.

#### SATURDAY, FEBRUARY 7TH, 1835.

A SPECIAL General Meeting was held this day; Sir GEO. THOMAS STAUNTON, Bart., in the Chair.

The first business that came before the Meeting was, the consideration of the Council's recommendation relative to the presentation of a diploma of Resident Membership to Lieutenant Alexander Burnes (*vide* Proceedings, Jan. 17).

The chairman read a draft of the proposed diploma.

The question was then put, seconded by Sir Charles Wilkins, and resolved unanimously—

“That the recommendation of the Council be adopted; and that Lieutenant Burnes be requested to attend at the next General Meeting, on the 21st instant, to receive his diploma.”

The Chairman then submitted another recommendation of the Council, viz. :

“That any Resident Member, whose permanent residence may be abroad, shall be at liberty to become a non-resident Member, should the payments he may have already made to the Society amount to twenty guineas, or on making up that amount, inclusive of all his previous payments; and that he shall be free to resume his resident membership on recommencing to pay his annual subscriptions.”

The question being put from the chair, and seconded by David Pollock, Esq.

It was unanimously resolved,—That this recommendation of the Council be adopted; and that it be entered as one of the articles in the Regulations of the Society.

Several donations to the library were laid upon the table; amongst which were a copy, from the learned author, of the second edition of "Select Specimens of the Theatre of the Hindús," by Professor Wilson; and from J. C. Loudon, Esq., the first two numbers of his "Arboretum Britannicum; or, Hardy Trees of Britain."

The paper read to the meeting on this occasion was an extract from Capt. Low's Account of Tenasserim.

Samuel Dyer, Esq. was elected a resident member of the Society.

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# JOURNAL

OF THE

## ROYAL ASIATIC SOCIETY.

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ART. XII.—*On the Land Tenures of the Dekkan, by Lieut.-Colonel WILLIAM H. SYKES, F.R.S. F.L.F.G.S. &c. &c. late Statistical Reporter to the Government of Bombay.*

### CHAP. I.

As an account of the tenures in the Dekkan involves the consideration of certain ancient Hindú offices, I beg to offer some preliminary observations which may possibly assist in throwing light on the former state of the country now called Maháráshtra, and its institutions. The Mahrattas do not pretend to be the aborigines; they have a tradition that they came from the north, and that they are of Rájput origin. The question follows, who then were their predecessors?

The stupendous monuments of human perseverance, taste, and religious zeal; the wonderfully excavated cave-temples, refectories, chambers, reservoirs, and common halls, surrounded by cells, indicating that their object was the accommodation of monastic fraternities at Ellora, Junar, Nanaghát, Karlé, Sashtí, or Salsette, and other places, assist in solving this question. They bear silent, but convincing, testimony that the country was anciently possessed by a people who had nothing in common with the present inhabitants in objects of religious worship, in religious architecture, in personal appearance (judging from the alto-relievos of figures), or in the graphic characters used to express ideas. That this ancient people were Buddhists is proved from similar objects of worship, similar temples, chambers, and inscriptions existing at the present day amongst Buddhists, or as relics of Buddhism in Ceylon, in Birma, and in the island of Bali, adjoining to Java; and particularly in the Buddh alphabet of Bali (agreeably to specimens furnished by Sir Stamford Raffles in his *Java*), resolving itself into that of the Buddhists of the Dekkan, as met with in inscriptions common to both countries; and by its aid, at a future period

should the language prove to be the same, the history of the excavations in the Dekkan and at Salsette may become known.

How the ancient inhabitants disappeared from Maháráshtra, so entirely as not to leave a tradition even respecting themselves (the Mahrattas referring all the Buddha cave-temples to their own heroes, the Pánduva princes), is an object of curious, but apparently hopeless, inquiry. By the help, however, of numerous existing Hindú commemorative stones,\* a clue is afforded to this mystery. These stones are every where met with from the open plains bordering on the Carnatic, to the solitude and fastnesses of the hill-fort of Harichandrúg, in the western Gháts. They are usually found within the limits of the temples dedicated to Mahádéva, and rarely in isolated situations. In one instance, the outline of one, with its figures, is *traced* on the walls of a Buddha cave at Junar, but the figures are not *worked* out into relief, and the work is evidently subsequent and extraneous to the completion of the temple. The present people do not distinctly appreciate their object, the few tales attached to them being contradictory and puerile; but they tell their own history, I think, succinctly and perspicuously. They are in form like the flat, perpendicular gravestones frequent in churchyards in England, and sometimes as a square pillar. One side is divided into four compartments placed above each other, and the whole contain figures in bas-relief. The upper compartment has the Linga, the symbol of Mahádéva, sculptured on it, with figures worshipping. In the compartment next below, there is a male personage, armed with a short broad dagger, attended by females; the whole of them are in dancing or joyous attitudes. In the third compartment, the male personage of the second compartment is engaged in battle against numerous foes; and on some stones this personage is recognised as being one of the worshippers of the Linga in the upper compartment. In the lowest compartment there is a man apparently dead, and the presence of antelopes indicates that he has been driven to the wilds far from the haunts of men. May we not give the following reading of these interesting sculptures:—The country was inhabited by Buddhists; it was invaded by worshippers of the Linga; the worship of Buddha put down, and his followers extirpated or driven out, and the Linga and its followers succeeded? Of the expulsion of the Buddhists there is auxiliary proof in the traditions of the Buddhists of Birma and Java, which refer their origin to Ceylon and India. The invader may have been RÁMA CHANDRA, evidently no allegorical personage, nor of the remotest antiquity, who marched against RÁVANA, the Buddha king of Ceylon;

\* See the accompanying Illustration.

and the new settlers of the tracts deserted by the Buddhists may have been an auxiliary nation in the army of RÁMA, or part of the subjects of his native kingdom. If this people were the ancestors of the present Mahrattas at the period of their settlement, their numbers were probably limited, for it is asserted that there are but ninety-six family names, or surnames, in the Mahratta nation; and so satisfied are persons of the same name, of their descent from a common ancestor, that these families cannot intermarry, however distant the ties of blood may now be by the spreading ramifications of ages of collateral descent. If there were any contests for the establishment of the Linga in the Dekkan, the prevalence of its worship at the present moment manifests their successful issue. With the Mahrattas this symbol has always been peculiarly an object of reverence, and, for the most part, Mahádéva, or his attributes, are their Kulaswámis, or household gods; and the oldest temples, as well those cut out of the rocks at Ellora and Elephanta, as those buried in the lofty and gloomy woods of the Gháts, are dedicated to it.

If the Mahrattas were the immediate successors of the Buddhists, whose extirpation or expulsion was complete, they would, in taking possession of the country, have been unfettered in every respect, and their institutions would have been fixed simultaneously with a common object. We may suppose the deserted villages at once peopled by the new race, and the lands shared by the prince, his chiefs, and the Mahratta soldiery. Individual shares or allotments might, naturally enough, have been distinguished by the name of their first possessors. The mode of succession to property amongst Hindús would make these allotments hereditary, without at all affecting any reserved paramount rights of the prince. Artisans, *religieux*, and others, followers of the troops, would not have had any substantive claims upon the conquered possessions, but their presence being necessary for the internal economy, the well-being, and comfort of a village, provision would be made for them by fees in kind from the possessors of these Thals or estates, at a period when it may be doubted whether a money circulating medium obtained to any extent. The Mahratta who had enjoyed the greatest consideration amongst his compatriots when serving with the army, would remain the chief or Patél, or the office might have been conferred by the prince. In village accounts the lettered Bráhman would be made use of. For the general administration of the country, villages would be thrown together into districts, officers appointed over them, and over these last there would probably be a connecting link with the prince. All offices of trust, emolument, or power, would necessarily be in the

hands of Mahrattas ; and those of accounts in the hands of Bráhmans, from their knowledge of letters. How far the present state of Hindú institutions in the Dekkan, which have any pretensions to antiquity, sanctions these assumptions, the following investigation of various tenures will perhaps assist to develope.

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## CHAP. II.

THE institutions and functionaries for the civil government of the country at the period of the Musalmán invasion are said to have been as follows, and they remain nearly the same at the present day :—

All lands were classed within some village boundary or other ; villages had a constitution for their internal government, consisting of the Patél, or chief, assisted by a Chaugula, the Kulkarní, or village accountant, and the well-known village officers the Baráballotí ; the numbers of the latter were complete or not according to the population of the village, and the consequent means of supporting them. A few villages constituted a Náikwari, over which was an officer with the designation of Náik. Eighty-four villages constituted a Désmukh, equivalent to a Pargana, or county. Over this number was placed a Désmukh, as governor, assisted by a Déschaugula ; and, for the branch of accounts, there was a Déspánd, or district accountant and registrar. The links connecting the Désmukhs with the prince, were the Sar-Désbukhs, or heads of the Désbukhs ; they were few in number. It is said there were also Sar-Déspands. The Sar-Désbukhs, Désbukhs, Náiks, Patéls, and Chaugulas, in short, all persons in authority, were Mahrattas ; the writers and accountants were mostly Bráhmans.

The division of the country into Súbahs, Tálluks, Parganahs, and Tarafs, is comparatively recent ; the whole of the names for such divisions being of Musalmán origin.

My earliest inquiries led me to believe that the lands of villages were divided into hereditary family estates, called Thals, bearing the names of ancient Mahratta families, the descendants of which were then in possession of them ; or bearing the names of extinct families, of whose ancient possession tradition bore testimony. The results of six years' research were confirmatory of these points. The lands of extinct families were, and still are, called Gat-Kul, from the Sanskrit *gata*, gone, passed away, and *kula*, a race, family. Under all changes of government and new proprietary, the family names by which they were originally distinguished have rarely been disturbed, and it is

probable that they are handed down from very remote times. The law of succession by primogeniture not obtaining amongst the Hindús, it is probable that, in the second generation from the original proprietor, the estates would be divided, and come into the possession of two or more males of the same family; and that, as the branches multiplied, the individual shares diminished in size, until each was no longer equal to the support of one person. So circumstanced, the smaller proprietors must have sought means of subsistence elsewhere. But it is very remarkable, that the greater part of the lands examined by me (and, I believe, in the Dekkan generally), are Gat-kul; and the usual law of nature appears to have been so far inoperative, that very many of the families of the original proprietors have disappeared. Even in those families still in possession, in rare instances only have I met with such an increase, as to impose on the cadets the necessity of abandoning their kindred and lands. I have frequently found the representative of an ancient house, and the consequent proprietor of a whole Thal, a childless, helpless, and poverty-stricken old man, or an infant, or a young man employed as a labourer, under the farmer of his own property. At Nímí, Parganah-Kardé, in the Nagar collectorate there were twenty-three Thals, of which eighteen were Gat-kul; at Kothul, nine Thals and five Gat-kul. In the first case eighteen families are extinct out of twenty-three, and, in the second, five out of nine.

At Wangi, a town on the Bíma river, lately transferred by the Nízám to the British, although for ages under a Musalmán government, and although the town-lands are not distinguished in the Kulkarní's public papers by Thals, yet the number of the Thals, their names and limits, were well known; while seven-tenths of the families to which they formerly belonged were extinct. At Karkamb, a flourishing town near Pandatpúr, belonging to the Patwardan family, Thals exist; but only two representatives of two ancient families remain of all those formerly in possession. At Wangi, in the Parganah of Mandrúp, bordering on the Carnatic, only three Mírásdárs remain. At the village of Belwandi, Parganah Kardeh, Ahmednagar Collectorate, belonging to his Highness SINDIAH, there was not a single representative of an ancient family remaining in A.D. 1827, the whole of the lands being Gat-kul. There were, nevertheless, some half-a-dozen Mírásdárs, who had purchased their lands from the Patél six or seven-and-twenty years back. The Kulkarní even denied the existence of Thals, or estates; but one of the Mírásdárs having told me that he had his land on the Thal of an extinct family, I urged their existence so strenuously, that a Thaljárá, or list of the estates

into which the village lands are divided, was at last reluctantly produced,—an old worn paper, dated Sakhi 1698, A.D. 1777. In this list, I found the Thals minutely detailed, together with their possessors, the number and names of the Mírásdárs who had purchased Mírás rights from the village authorities, on the Thals that had become Gat-kul; and, finally, the names of the different Úparís renting land on the Thals. In 1827, there was not a single person alive, a descendant from the possessors of the Thals or Mírás rights in 1777; and, but for this paper, it might well have been doubted whether Thals had ever existed in Belwandi. It would appear, that in HOLKAR'S inroad into the Dekkan in 1802, war, famine, pestilence, or flight, had depopulated the village; that the few people that returned, died subsequently, and that, in consequence, there was not an ancient heritor remaining. The joint Patéls claimed to be so, but as their family names did not correspond with any of the names of Thals in the above-mentioned list, they were evidently *parvenus*. Were other proofs wanting, the existence of a Thaljárá, under such peculiar circumstances, is fully sufficient to establish the division of lands into family estates. It is gratifying, however, to find, that even at the seat of the Musalmán government of the Nizám Sháhí kings, the ancient Mahratta land institutions have continued unchanged. The lands of Bagh Roza, one of the constituent villages of Ahmednagar, are divided into Thals, each having a family name, with descendants of the original proprietors in possession of many of them. It might have been supposed that the Musalmáns would have dispossessed the Hindús; but with the single exception of one Thal, which from time immemorial has been in the possession of the descendants of HUSAIN KHÁN, whose name it bears, there is not a Musalmán name to any of the Thals. At the village of Taklí, Taraf Khatgáon, ten miles west of Ahmednagar, Thals had certainly disappeared. There was not a Thaljárá; the inhabitants knew nothing of such a division of the lands; and the few persons of a similar surname, who claimed to be Mírásdárs in the village, instead of being possessors of contiguous lands, which would have been the case had they been lineal or collateral heritors of a Thal, had their lands widely dispersed. From Thals being unknown at Taklí, it is probable that the village at one time was entirely depopulated, and the village papers lost. There is certainly no proof of their former existence; but as I have shewn that their existence was denied at Belwandi, until an old Thaljárá was produced, and as they are found to exist in a vast majority of the villages examined by me, the presumption is that they also once existed at Taklí. Such an impression appears to have ob-

tained with our revenue authorities, for the whole of the lands of the village have been newly divided into Thals; but the lands of persons of similar surnames, however widely separated, have been classed under one Thal. Individuals have had Thals named after them, and the village papers now present the almost unprecedented feature of a total want of Gat-kul lands; and the village authorities seem to think that the whole of the present cultivators are established on hereditary rights. At the flourishing Jágir town of Wamori, in the Gangathari, Thals do not exist, but an equivalent exists in the lands being classed by families on a list called Jamín Jahra Jatéhwar. This list consists of thirty-four Jathas, or families. They consist of a greater or less number of individuals, and holding a greater or less portion of land, but seldom in contiguous parcels, all of which are divided into fields called Tíkas, each field having a name. The Patará family (one of the five Patéls) have 41,016 Bighas (or 30,762 acres), divided into a multitude of fields or Tíkas; but there is not any Thal or Tíka called Patará. The Phagreh family, consisting of four houses, have twelve Tíkas, or fields, on different parts of the village lands, but there is not a Phagreh Thal, or Phagreh Tíka. The same observation applies to the rest. This want of accordance between the names of the estates and the names of their present owners, is plainly indicative of comparatively recent proprietary. This is admitted by the inhabitants, who say that Wamori in former times was frequently destroyed by the Bhíls. The inhabitants fled; the lands lay waste; part of the Patél and Kulkarní's families returned after each devastation, and appropriated to themselves such lands as they chose (witness the Patará family with more than 30,000 acres). The rest of the lands were allowed to be occupied by strangers; and it is admitted, that the settlement of all the inhabitants, with the exception of the Patél families, is within fifty years: and the Patéls only returned to their lands after long absences. It may well be supposed, therefore, that it was for the interest of the Patéls to disregard Thals. The new settlers could know little about them; and they have disappeared. Thals had also disappeared at the town of Barágáon Nandúr, on the Múl river, until the British restored them. After HOLKAR's incursion in 1802, the town was wholly abandoned for a year; it has since been thrice devastated by the Bhíls, and, in the confusion consequent on these events, the limits of family possessions were lost.

The former existence of Thals, however, is asserted by the people. The land-list is now kept in Tíkas, or fields, which do not bear the names of their present owners. At Sindiah's large town of Jamgáon,

eighteen miles west of Ahmednagar, the Thal-system exists, although most of the Thals are Gat-kul. The same is the case at Rámjangáon, Taraf-Rámjangáon, also belonging to Sindiah, where only five hereditary families remain. At Alkúli, Pargana Kardé, an alienated town, the whole of the lands are divided into family estates; but were I to name all the places where the Thal-system still obtains, it would be necessary to supply a list of three-fourths of the towns and villages in the collectorates of Púnah and Ahmednagar. Where Thals have disappeared, as at Wamorí, Taklí, Belwandí, Baragáon, Nandúr, &c. there is presumptive evidence of their former existence. From personal observation and inquiry, therefore, and from the concurring testimony of cultivators in different parts of the country, I fully believe, that the whole of the lands of the Dés, or campaign country, within the extensive boundaries to which my researches refer, were at one time divided into hereditary family properties. The proof of their hereditary character is involved in the fact of persons being still in possession of lands bearing their own names, which lands the village documents testify to their ancestors having been in possession of nearly a century and a half ago. It must be admitted, that in the hilly tracts along the Gháts, called the Máwals, the Thal-system is more rare than in the Dés, or campaign country, although still met with in villages where the lands are tolerably flat, and admit of extensive contiguous cultivation. Its greater rarity is to be accounted for in the character of the country, which, for the most part, allows of cultivation being carried on only in small separate patches; in the great extent of the village lands proportioned to the population, which admits of a yearly choice of new spots, and the consequent want of local value to ground; in the mixed constituents of the population, the greater parts of which consists of Kohlís, whose habits and opinions are not wholly in accordance with those of the Mahrattas; and, finally, the systematic divisions in the campaign country (of the ancient and perfect existence of which there are so many proofs), may not have penetrated the fastnesses of the hills. Thals, however, existed amongst the Kohlís; for at the town of Ghoreh, where the Thals are in possession of Mahrattas, they bear Kohlí names.

## CHAP. III.

THE existence of hereditary estates being established, the tenures on which they were held will be best illustrated by an account of the relation in which the proprietors of portions of them stood, and still stand, to the government. Persons so holding lands are called *Mírásdárs*, a term of Arabic origin, from *Mírás*, heritage, patrimony. They are of two kinds, those who are descendants of the original proprietors of Thals, and those who have purchased lands from the descendants of the original proprietors, or from the village authorities, who had at their disposal the lands of extinct families. In no instance that I am aware of, have the former documentary proofs of their rights. With the latter, documentary proof is not uncommon, in the shape of a paper called a *Mírás Patta*, or letter of inheritance, which is witnessed not only by the authorities of the village where the letter is granted, but by those of neighbouring villages, and by the *Désmukh* and *Déspánd* of the district, and the privity of government is consequently implied.

The term *Mírásdár* has superseded the ancient Hindú terms *Thulkarí*, *Thulwahí*. These terms are known at present to the *Mahrattas*, but they are rarely used. In an award, however, on a dispute regarding shares in the office of the *Patél* of *Kawítah-Parganah-Pábal*, dated 104 years ago, of which I possess a copy, the term *Mírásdár* is not met with, although *Mírás* is — *Thalwahí* being the only distinctive appellation for the cultivator. Whatever may have been the meaning of the Hindú terms, the *Musalmáns* who, no doubt, introduced the appellation *Mírásdár*, in doing so, ostensibly acknowledged an hereditary right to land in that portion of the people whom they had conquered, denominated *Thalwahí* and *Thalkarí*; and, by applying the term *Hakkdár*, of Arabic origin, to the *Désmukh*, or *Désái*, and *Déspandah*, the district officers whom they found in the country on their arrival, they acknowledged hereditary officers also. In these concessions the *Musalmáns* did not intend to make any practical sacrifice of their rights as conquerors, but the terms themselves are sufficiently illustrative of their appreciation of the tenures they found in the country on their arrival.

*Mírásdárs* of the present day claim a right to the personal occupancy of their land so long as they pay the government assessments on it; and in case of failure in the payment of the government dues, and the consequent forfeiture of the right of occupancy, they claim the

right to resume it whenever they can pay their arrears, and also to mortgage or sell it at pleasure.

The land-tax is asserted to have been fixed, and there is no reason to doubt it, as all Mírás land still continues to pay the *Sosthí-dar*, or what is deemed the permanent tax; but government, at pleasure, could put extra cesses on it, and thus neutralise the advantages of a permanent tax, and render the Mírás tenures valueless. I have to remark, also, that in an examination of the papers of many villages between the Bíma and Sína rivers, transferred by the Nizám to the British, in no instance did I meet with the terms Watan Mírás, or Gat-kul, in the official classification of the village lands, although these villages were immediately under the administration of a noble Mahratta family, and Thals, Watandárs, and Mírásdárs, existed in them. It is probable, therefore, that the Musalmáns took little count of Mírás rights, but they had not any motive to interfere with them so long as the Mírásdárs paid their taxes between man and man; therefore Mírás rights were operative; but it is idle to suppose, in the relation in which the Mírásdárs stood to a despotic government, that their rights existed otherwise than by sufferance, where the abuse of power was not subject to the salutary check of public opinion, and where there was as little hesitation in taking their lives as their property. The observation applies equally to Hindú as to Musalmán rule; but I am bound to express my belief that usurpation of the landed property of its subjects was rare under either government.

Although Mírás, or hereditary land, was assessed permanently, yet it was at a higher rate than any other land, at least if we judge from the difficulty discoverable in village papers for the last half century of letting waste land at the Mírás rate. This permanent assessment on the Mírás land was called, as I before stated, the *Sosthí-dar*; there was an extra tax also payable every three years, called *Mírás pattí*, or a specific tax upon the hereditary land, being a kind of smart-money for the distinction which the term *Mírásdár* conferred. This tax is now in desuetude in many villages where Mírás land exists; for instance, at Kheir, Taraf, Rasín, &c. &c.

The Mírásdárs, also, were not exempt from any of those duties which government chose to impose on the population of certain villages conveniently situated to cut and carry grass to the government stables (which labour is now commuted into a money-tax under the name of *Gawut-bígar*), and they were also subject to the *Dés-mukhs*, *Déspandahs*, *Patéls*, *Kulkarnís*, and *Ballotí's* fees of grain. Notwithstanding all the above drawbacks, it is an undoubted fact that Mírás land was highly estimated, and tenaciously retained, even at a

pecuniary loss. I am not aware that the *Mírásdár* had any advantages commensurate with the high rent, extra assessments, and other calls on his land and labour; he had certainly a voice in the village councils, which the *Úparí*, or mere renter, had not; but he could not rise to any authority in the *Pándrí*, or village corporation, unless he belonged to the *Patél's* family. In the western hilly tracts, Mr. W. Chaplin, commissioner in the Dekkan, states that he was exempt from marriage fees, widows' marriage fees, buffalo-tax, and sometimes house-tax; the last I observed to be the case in the district of Markoreh Poonah collectorate, but all other taxes in this district the *Mírásdár* paid in common with the *Úparí*. He had certain claims to precedence in festivities and ceremonies; he could sell his lands; and, in former times, when there was a greater parity than now exists between the supply and consumption of agricultural produce, the lands had an intrinsic value, and were desirable possessions. It may be possible, but not probable, that his lands had an augmented value from the permanent land-tax, being less in former times than yearly tenants were compelled to pay for waste land. I have seen many *Mírás Patras* (letters of inheritance) granted by *Mírásdárs*, or by the *Patéls* and *Kulkarnís*, or by villages in different parts of the country, dated between twenty-five and fifty years back; but, for the last twenty-five years, land has not had a saleable value in the tracts traversed by me, unless probably in some rare instances, for the sites of houses in large towns. Consumption falls short of production; the value of agricultural produce is depreciated; the money assessments continue the same, or nearly so; and the grain, forage, and other cesses, have been converted into money rates; the *Mírásdár* of the present day, therefore, is unquestionably in a worse situation than the *Úparí*, or mere renter. *Mírás* land has lost its value, although the abstract right to it may have been confirmed under us, and it will be found that the *Mírásdárs* will silently get rid of their highly-assessed lands, and rent *Uktí* lands, unless the assessments be equalised in both tenures. Of so little value are *Mírás* lands now, that in every village, it is not to be denied, very many *Mírásdárs* have abandoned them, and are absentees, and such absentees are called *Parágandah*.

Before quitting the *Mírásdár*, it is requisite to notice that the term is usually considered by us as synonymous with *Watandár*; but, at the town of Veir, on the *Bhíma* river, below *Pangáon*, I found the *Watandárs* distinguished from the *Mírásdárs* in the village papers. The *Watandárs* were twenty-seven in number, the *Mírásdárs* fifteen. In explanation of this distinction, the people said the *Watandárs* were

the holders, or relations of the holders (with right of succession) of hereditary village offices; the *Mírásdárs* being hereditary land-owners. The *Watandár* was always a *Mírásdár*; but the *Mírásdár*, simply as such, was not necessarily a *Watandár*.

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#### CHAP. IV.

FROM the extinction of numerous Mahratta families who were in possession of *Thals*, or hereditary estates, great part of the land in the country is without proprietors; in consequence, a very numerous class of occupiers is the *Úparí*. The proper meaning of this term is a stranger, or one who cultivates land in a village in which he has not any corporate rights. In practice, he holds land on the *Uktí* tenure, which is a land-lease by a verbal agreement for one year. In this tenure the rates are not fixed; the parties make the best terms they can; but the *Sosthí*, or permanent rates, are insisted on as far as is practicable. Persons in authority, no doubt, take advantage of the *Uktí* tenure.

Formerly the *Patéls* and village corporation had the disposal of the *Gatkul*, or abandoned lands, of which I have ample proof in the proceedings of an assembly of *Désmukhs*, *Déspandahs*, and *Patéls*, held under the authority of one of the ministers of the *Rájáh* of *Sattarah* (the *Prathí Níthí*) to decide on the right of different claimants to the office of *Patél* of the village of *Kawítah-Parganah-Pábal*. Cultivators holding lands on the *Uktí* tenure can throw them up at pleasure, making good the assessment for the year only; they are not subject to the triennial cess, like the *Mírásdár*; and at the end of the year they are free to make a new bargain, which, in modern times, is likely to be in their favour from the depreciated value of land and the difficulty of letting it. So lightly does this tenure sit on the people, that the term *Sukh-wastí*, unfettered, or inhabitant at his ease, is applied to the *Úparí*. I am not aware that he is subject to any tax to which the *Mírásdár* is not equally liable, if in some villages a house-tax be excepted. *Mírásdárs* are not interdicted from holding lands on the *Uktí* tenure.

## CHAP. V.

THE third land-tenure is that of Kaul-Istiwá; Kaul means contract, agreement; and Istiwá is applied to land let under its value. In practice, to induce cultivators to break up land that has long lain waste, a lease is given for five, seven, or, at the most, nine years. The first year a trifling rent is fixed, which increases yearly in arithmetical progression until the fifth, seventh, or ninth year, when the full rent is paid. As it is not imperative on the cultivator to carry on the land after the expiration of the Kaul-istiwá, this tenure is highly desired, and the longer the period the greater the profit to the lessee. As a system, however, it is injurious to the revenue, and unjust to the highly assessed Mírásdár, whose means of realizing his rents are diminished in the ratio of the extent to which Kaul-Istiwás are granted. Were it desirable to extend the cultivation and lessen the price of agricultural products, Kaul-Istiwás would be most effective. In prosecuting my inquiries, I did not meet with any leases for a period exceeding a year at the full rate of assessment; land leases, therefore, of the character of those most common in England, do not appear to be granted.

Any inhabitant of one village cultivating land in a neighbouring village, does so on the Owand tenure. The rate is the Uktí, and with respect to the village such cultivator is in fact an Úparí. His distinctive appellation, however, is Owand Karí.

## CHAP. VI.

THE above are the tenures on which the government land revenue is raised, which, in the four collectorates of the Dekkan, amounts to 82·372 per cent. of the whole revenue. This per centage includes, however, some trifling rents from government lands, gardens, orchards, grass lands and sheep-feeding, quit-rents, fees, Hakkdárs, and extra cesses.

The following tenures involve alienations of land from a few bighás in a village to whole districts. These are Jágír and Inám, in Khandedh; Sarenjám, Inám, and Dómála, in the Ahmednagar collectorate; in the Poona collectorate, Inám, Sarenjám, and Izáfát; in Dharwár, Júrí Inám, Sarva Inám, and Jágír. At least, such terms appear in the population returns sent to me, and in the public papers which I have had an opportunity of inspecting.

Jágír, which is a Persian word in its origin, is applied to lands given by government for personal support, or as a fief for the maintenance of troops for the service of the state. Some service is implied in the personal, as well as the military Jágír. In the collectorates in the Dekkan, upwards of four hundred (populated) villages appear to be alienated in Jágír.

Inám is a word of Arabic origin : it means a gift, or present ; and lands so held should be entirely free from tax to government. But a subsequent explanation of various tenures will shew, that Inám has a much wider signification than is generally supposed. This tenure is very extensive in the Dekkan. Independently of the grants of whole towns and villages to individuals, of which there are two hundred and thirty-one alienated in the Poona collectorate alone (and the other collectorates have a proportionate share) ; independently of the grants for temples and religious institutions, &c. &c., almost every village has rent-free lands held by the Patél, Kulkarní, and Mahrs, and very commonly the Désmukhs and Déspandehs have also land rent-free attached to their offices in the villages of their districts. The Ballotís, also, commonly have Inám-lands, but their Inám is qualified by the imposition of some professional service, and is also quit-rent.

Many of the Ináms are very curious ; for instance, at Wangí, Parganah Wangí, Ahmednagar collectorate, there are the following :

“ To Antobah Gosawí, for reading stories at the Ucháos, or festivals of the goddess Déví, 15 bíchás. To the Samel Gondlí, or tabor players at the temple, 15 bíchás. Máli, or gardener, for the supply of flowers for the temple, 30 bíchás. To the Kaláwants, and tumbling and dancing women (who are prostitutes), for exercising their profession in honour of the goddess, 30 bíchás. The Gharseh, or clarionet players, who daily play before the idol, 15 bíchás. To the Hollar, or players on the daff, or double drum, 15 bíchás.”

These Ináms existed even under the bigoted Musalmán government, and still remain. There are similar Ináms at Karmáleh and many other places.

Amongst the curious Ináms, is that to the Mahan Bháo, a Mah-ratta who abandons the affairs of life, wears black clothes, and incessantly calls on the name of Krishna. At Jehoor, this personage has an Inám of 104 bíchás.

Lands held in Sarenjám involve the condition of military service. The term is of Persian origin, meaning furniture, apparatus, implying that the lands are to defray the expenses of equipment. In fact, Sarenjám is synonymous with military Jágír. Captain GRANT DUFF explains “ Sarenjámí horseman ” to mean, “ a horseman furnished by

a Jágírdár for the state." In the Poona collectorate, one hundred and eighty-one villages appear alienated under this tenure.

Dómála, in the etymology of the word, means two rights, from Do, two, and Mál, right, property. The term is only found in the lists of villages in the Ahmednagar collectorate, applied to villages and lands granted to individuals on which government has a reserved right. In this sense, the tenure appears to be that of quit-rent; and the term is synonymous with the Jóri Inám of the Dharwár collectorate.

In the Ahmednagar collectorate, five hundred and eighty-one villages and a half appear in the list as Dómála. The term here is, no doubt, used simply to mean *alienated*; and includes Inám and Jágir villages. Captain GRANT DUFF, in his list of the villages of the Sattarah Government, uses the term Dómála as *alienated*, qualifying it by the terms Khálisagáon, Dómála Amal, or government villages with a small right, *alienated*. Dómálagáon, Sarkarí Amal, *alienated* villages in which government has a small right, and Daróbast Dómála, or wholly alienated.

In the Poona collectorate, the term Izáfat occurs applied to thirty-seven villages and a half, in the Parganahs of Indapúr, Kheir, Hawailí, Náneh, and Ander Mawuls and Indí. This word is probably corrupted from Ziáfat, of Arabic origin, meaning feast or entertainment. Lands so held are rent-free; the tenure, in fact, being that of Sarwa Inám. Trimbeck Rao Narrain, the Muámaladár, or native collector, of Joonar, who had charge of different Ta'alluks, in which were Izáfat villages, considered the term as applicable only to those villages, held by the Désmukhs and Déspandahs in virtue of their offices.

In the Dharwar collectorate, the terms Jóri Inám, Sarwa Inám, and Jágir, occur. Jóri Inám, in the English abstract of the government lists of the towns and villages, appears, as a quit-rent tenure, Sarwa Inám, Sarwa meaning *all, wholly, entirely*; implying, that the tenure is free from rent or tax, and is very properly distinguished from the Jóri Inám, which is not the case in the other collectorates.

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## CHAP. VII.

THE Désmukh's office is certainly of considerable antiquity. Tradition states that the office was originally held only by Mahrattas; and

in nine instances out of ten it still continues to be held by them. The importance of the office is attested by the fact, that in the earliest mention of the chiefs of the present great Mahratta families, they are styled Désmukhs of such and such districts. Their rights were hereditary, and saleable, wholly, or in part. The concurring testimony of the people proves the hereditary right; and the proof of the power to sell is found in Bráhmans and other castes, and some few Musalmáns being now sharers in the dignities, rights, and emoluments of Désmukh. At Ahmednagar, one-third of the Désmukhí belongs to a Bráhman, and two-thirds belong to the Nagpoor chief's family.

In many cases the Désmukh unites with his office that of Patél, or headman, of some village in his district. At Ahmednagar, the Bráhman, who is one-third Désmukh, is also Patél and Kulkarní,—an almost unprecedented plurality.

The rights and emoluments of Désmukh are very extensive; but they are not uniform throughout the country. In the first place, they have a per centage on the net revenue, collected in different ways, and varying from one to five per cent. In the Poona collectorate, the mean charge for Désmukhs and Déspandahs, is 3·06 per cent on the gross revenue, but on the net revenue it amounts as nearly as possible to 6 per cent; at Tacklí, Taraf Khatgáon, in the village papers, it appeared to be 1 rupee, and  $14\frac{1}{2}$  annas per cent; at Parnair, Parganah Parnair, 1 rupee, and  $13\frac{1}{2}$  annas per cent; at Wangí Parganah Wangí, the Désmukh and Déspandah, by the village papers, appeared to be entitled to share 8 rupees, and  $3\frac{1}{4}$  annas per cent on the net collections,—a very large and unusual per centage.

These details are illustrative of their varying claims on the revenue. The next advantage consists in some of them enjoying villages in free-gift. The third is in possessing Inám land in many villages of their districts. In some instances the quantity is of great magnitude. At Mohol-tálluk Mohol, the two sharers in the office of Désmukh have each 600 bighás (450 acres) of free land. At Parnair, Parganah Parnair, the three sharers in the office, and the Kulkarní, and one or two Gósawís, have  $1004\frac{1}{2}$  bighás of free land. The fourth right of the Désmukh is that of a portion of grain called Gúgrí, from all the land under cultivation in their districts. It varies in different villages, but the aggregate amount is very considerable.

In addition to the grain-rights they have other claims on villages. At Wamúrí, Taraf Rahúrí, I found the Désmukh entitled to a sheep, and to a rupee's worth of ghí, annually; in lieu of which, two rupees

appeared in the village expenses as paid to him. Where sugar-cane is grown, they get a portion of the Gúl. At Angur, Parganah Mohol, Poonah collectorate, a charge of twenty-six rupees appears in the village papers, for a present of a dress to the Désmukh: they have also complicated rights on the customs.

The Désmukhs were, no doubt, originally appointed by government, and they possessed all the above advantages, on the tenure of collecting and being responsible for the revenue, for superintending the cultivation and police of their districts, and carrying into effect all orders of government. They were, in fact, to a district what a Patél is to a village; in short, were charged with its whole government.

That their duties are in abeyance is no fault of their own. Under the Musalmán, and subsequently under the Bráhmán government, and at present under our own government, their functions have been suspended; but under Musalmáns, Bráhmans, and Christians, they have had the rare fortune to preserve the advantages and emoluments of their office untouched.

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#### CHAP. VIII.

THE Déspandahs are contemporary in their institution with the Désmukhs; they are the writers and accountants of the latter, and are always Bráhmans. They are to districts what Kulkarnís are to villages. Like the Désmukhs they have a per-centage on the revenue, Inám village, and Inám lands, Gúgrí, or grain-rights, and trifling miscellaneous rights of Ghí, Gúl, &c. But these rights are in a diminished ratio of from 25 to 50 per cent below those of the Désmukhs.

At Mohol, I found the Déspandah Apají Baolí possessing rights in fifty-seven Company's villages, and in six Inám villages, comprising a per-centage on their revenue, Inám lands, and Gúgrí, in most of them. He had a list arranged in a tabular form, called Patrak Jamín Jarha Mozehwur, or details of the land, Ináms, garden and field-cultivation, assessments, &c. &c. in each village in his district, which afforded by inspection every requisite information. The Gúgrí rights of the Déspandah, on the lands of the town of Mohol, were forty-eight sérs of grain for every thirty bighás under cultivation.

The duties to government of the Déspandahs, were to keep detailed accounts of the revenue of their district, and to furnish government with copies; they were also writers, accountants, and registrars, within their own limits. I have stated, that the functions of the Désmukhs and Déspandahs are in abeyance, and government is consequently put

to the expense of other officers to execute the duties for which they continue to be so richly paid. If they be objected to on the score of their want of probity, the numerous dismissals of our Muámalahdárs, native collectors, in the different collectorates, indicate a parity of moral turpitude. But in the case of the hereditary officers, the government would possess a very important check upon their dishonesty in the ability to abrogate their hereditary rights, which would involve themselves and families in ruin. In the case of our Muámalahdárs, who are mostly foreigners and adventurers, or dissatisfied adherents of the late Bráhma government, independently of their natural cupidity, the necessity of providing for their families prompts them to peculate, and risk a discovery, which costs them rarely more than dismissal. If the old officers be objected to, for want of knowledge or ability, the reply is, Who are so likely to be intimately acquainted with all village revenue details as those who have rights, the annual value of which is in the ratio of the extent of village cultivation, which a personal superintendence only can ascertain? If they be objected to on account of their influence being exerted unfavourably for their masters—setting aside the inutility of such conduct under a vigorous government, and its impolicy from the valuable rights they have at stake—the probabilities of attachment are at least more in favour of the chief officers, the Dés mukhs, who are Mahrattas, than of *temporary* Bráhma servants, who hate the British from caste, independently of a lurking hostility in all Bráhmans' breasts from our having subverted their temporal power. The Dés pandah, however much he might be affected by the feelings of his sect, would necessarily be awed by a proper sense of the great and permanent value of his hereditary rights, the loss of which he would not lightly risk.

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#### CHAP. IX.

THE next important tenure is that of the Patéls, usually called Potail, or head-men of towns and villages. This office, together with the village accountant's, is, no doubt, coeval with those of the Dés mukh and Dés pandah.

The term is Mahratta. I have not met with a trace of the appellation Gáora, alluded to by Captain Grant Duff, which is stated to me to be a Kanrí, or Carnatic, word; and heads of villages are still called Gáor, within the boundaries of the Kanrí language. The Sanskrit term *Grámadikari*, I am told by Bráhmans, would be descriptive of the lord or master of the village, equivalent to the present

term *Sarva Inámdár*, rather than that of *Patél—Grám*, in Sanskrit, meaning village; *Adikar*, the bearing of royal insignia, being pre-eminent.

Originally the *Patéls* were *Mahrattas* only; but sale, gift, or other causes, have extended the right to many other castes. A very great majority of *Patéls*, however, are still *Mahrattas*; their offices were hereditary and saleable, and many documentary proofs are still extant of such sales. I made a translation of one of these documents, dated 104 years ago; it was executed in the face of the country and with the knowledge of the government. This paper fully illustrates all the rights, dignities, and emoluments, of the office of *Patél*.<sup>1</sup>

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#### CHAP. X.

THE next village tenure is that of *Kulkarní*; the office is of very great importance, for the *Kulkarní* is not only the accountant of the government revenue, but he keeps the private accounts of each individual in the village, and is the general amanuensis—few of the cultivators, the *Patéls* frequently inclusive, being able to write or cypher for themselves. In no instance have I found this office held by any other caste than the *Bráhmanical*. I have previously mentioned that it is sometimes united to that of *Déspandah*, and also to that of the village *Joshí*, or astrologer, as at *Taklí*, *Taraf Khatgáon*, and *Ahmednagar* collectorate, where the *Kulkarní* has five and a half *bíghás* of *Inám* land, as astrologer. Like the *Patél* he has *Inám* land, salary, fees of grain, and miscellaneous claims of *Ghí*, *Gúl*, &c. Sometimes, but rarely, he has equal rights in land, salary, and *Gúgrí*, with the *Patél*; but generally they vary from twenty-five to seventy-five per cent below those of the *Patél*. At *Angar*, *Parganah Mohol*, the *Kulkarní* and *Natíl* have each a salary of 100 rupees, and forty-eight *sérs* of grain on every thirty *bíghás* of land under cultivation. The *Kulkarní* has not *Inám* lands, which the *Patél* has.

These instances are sufficient to illustrate the *Kulkarní's* rights, their number, want of uniformity, and varying value. The duties he has to perform have been already adverted to.

I know of few instances of the office being held by different families unconnected by the ties of blood; unlike the *Désmukhs*

<sup>1</sup> As Colonel SYKES proposes to submit the document above alluded to to the Society, it has not been deemed necessary, on the present occasion, to go into the detail of the rights and duties of the *Patél*.

and Patéls, the Bráhmán Kulkarnís have had the ingenuity, or good fortune, almost to prevent aliens from participating in their rights.

Male children succeed to the rights of their parents in equal proportions, unhappily to the great detriment of the public service and injury of the cultivators. Unlike the practice of the Désmukhs and Patéls, the executive duties are taken in succession by all the members of a family entitled to share in the rights and emoluments of the office. The consequence is, that, in a great majority of the offices, the duties fall to a new person annually, who is necessarily ignorant of the details of the preceding year, and, in some cases, it does not return to the same individual until after a lapse of twenty years. At Jamgáon, belonging to Sindiah, the family of the Kulkarní consists of six branches, and there are now twenty persons to take the duties successively. The reason of its not occurring to all individuals connected by ties of blood, after equal intervals of time, was stated to result from each family taking the office in succession for one year only. For instance, with four families to share, the first having one individual capable of executing the duties, the second two, the third three, and the fourth four;—to the individual of the first family the office would recur on the fifth year; but to the first individual of the second family it would only come again on the tenth year; to the first individual of the third family, on the fifteenth year; and to the first individual of the fourth family, on the twentieth year, &c. &c. In the southern districts I found the same system obtaining, and in prosecuting my inquiries through the country, in calling for village papers for examination, so many subterfuges and evasions were based on it, that I was repeatedly defeated in my attempts to get accounts of any particular year.

If the right to share equally in property cannot be interfered with, at least for the benefit of the public, and the interests of the cultivators, the executive duties should be confined to an individual, if not for life, certainly for a definite period not less than five years.

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## CHAP. XI.

A VERY important tenure in villages is that of the low-caste people, called Mahr by the Mahrattas, and Dhérs by the Musalmáns. They have Inám lands in all villages, divided into Harkí and Arólah; the former is rent-free, and generally bears but a small proportion to the latter: the Arólah is held on a quit-rent. In the neighbourhood of

Júnar and at Kothul, Parganah Kothul, Ahmednagar collectorate, I met with a new species of Mahrs Inám, called Sísolah; this is also rent-free, and held in addition to the two former. These Ináms vary in extent in different villages. In only one instance, in the large town of Jembourní, did it come to my knowledge that the Mahrs had not Inám lands, and in that place they had to perform all the customary duties for the government and the town, as if they had Inám lands. The Mahrs conceive that they have the right to mortgage or dispose of the lands held for the performance of specific duties, and I found the whole of the Mahrs Arólah at the town of Mahr, Tar Mahrkohreh, Poonah collectorate, mortgaged to the Patél. They were originally mortgaged to the Désmukh for a sum of money, who transferred them to the Patél. Independently of their Harkí, Arólah, and Sísolah, the Mahrs have a share of the cultivator's produce, whether garden or field; this is called their Ballúteh. Every village, in its original constitution, is said to have had twelve craftsmen and professions, who, in their several lines, had to perform all that the cultivators required to be done for themselves individually, and the village collectively. The smith and carpenter to mend their implements of husbandry, the barber to shave them, the washerman to wash their clothes, the pot-maker to make pots, &c. &c. These twelve persons were paid or supported by an assessment in kind. They were divided into three classes, and obtained their share of Ballotí agreeably to the class they stood in. In the first class were the carpenter, shoemaker, iron-smith, and Mahr; in the second class, the washerman, pot-maker, barber, and Mang; and in the third, the waterman, the astrologer, the Gúrú, or cleaner of the temple, and the silversmith. Since the Musalmán rule, the Mauláná, or Musalmán priest, has been added; and, in some villages, the Kulkarní claims to share in the third class. I say nothing about Alúteh, as part of the village community; for no two persons agree with respect to the constituents of this class, and it is scarcely reasonable to suppose, that the cultivator could ever have supported by fees in kind twelve additional persons, in case he paid thirty or fifty per cent to government; and I am told the Ballotí and Hakkdár rights stood him, on an average, twenty-five per cent, leaving him only twenty-five per cent for his own maintenance and agricultural charges.

The Mahr, who shares in the first class, in consequence of his numerous duties, shares also again as a third class Ballotídár. The fee in kind appears to be a per-centage on the produce, but it is not uniform throughout the country; and very rarely indeed could I get either cultivator or Ballotídár to state specifically what the one gave,

or the other looked upon himself entitled to receive, annually. It depended very much, I was told, upon the crops, and also upon the extent of services performed for each individual cultivator.

At the village of Sírúr, Ahmednagar collectorate, the first class Torlí Khass Ballotídár is entitled to 300 Gúrah, or bundles of the heads of Joárí and Bajrí, for every chahur, or 120 bighás of land under cultivation. The Gúrah is of a definite size, about a foot in diameter, and of course there is a greater or less number of heads of grain in the Gúrah agreeably to the size of the heads.

The second class, or Madlí Khass, get 225 Gúrah; the third class, or Dhaktí Khass, 175 Gúrah each, upon 120 bighás of cultivation. Of all other grains, excepting the above, the Ballotídár gets a similar number of Passah, or as much as is contained in the hollow of one hand, with the fingers bent up as to hold water. In practice, however, to save the trouble of this minute measurement, a basketful, supposed to contain the necessary quantity, is given.

The Ballotí fees, therefore, at Mehlungeh, cost the farmer thirty-six per cent of his cheap grains. At Ankulnér, Ahmednagar collectorate, the cultivators assured me they put by twenty-five per cent of their produce for the whole of the Ballotí. With respect to sugarcane, the classes get respectively for every Kareh, or large copperful of juice, five, two and a half, and one and a quarter, sugar-canes. Proportions of onions, garlic, carrots, radishes, and garden-stuff generally, were given by the Wapha, or small square plots, into which garden lands are divided to facilitate irrigation. They get shares of a Wapha in the ratio of five, two, and one.

For the extensive advantages the Mahrs enjoy, they have numerous duties to perform to the state and to the village. I have been the more careful in my inquiries respecting them, particularly in alienated villages, where old customs may be supposed to remain unaffected by the change of government, in consequence of our government having waved its claims to the services of the Mahrs generally, on the ground of this class of persons in some few villages continuing to pay a trifling tax, called Rabtah Mahr, in lieu of performing personal services; but this tax was in lieu of services dependant on local circumstances, and not in lieu of customary duties. At Wangí, Parganah Mandrúp, sub-collectorate of Sholapúr, the Mahrs pay a Rabtah of twenty-four rupees, the origin of which is as follows:—Formerly, when NÍMBALKAR, of Karmalleh, who held Wangí, and an extensive tract along the Sína river, in Jahgír, from the Nizám, had one of his *pagas* of horse stationed near Wangí, the Mahrs worked gratuitously for six months in the year, in the stables; on the removal of the paga,

NÍMBALKAR levied a tax on the Mahrs, in place of six months' stable work, but did not remit any of their ordinary duties. In the twelve villages of the Mahr, Kohreh Poonah collectorate, the Rabtah is levied; but it is in lieu of the former specific duties of gratuitously supplying all government officers who came into the district, and partly, also, the hill forts, with dry wood and grass; all other duties were unaffected by the tax. In explanation of this tax I was informed, that under the late government, when the Muámalahdár came into a district, all the Mahrs in turn were to give personal service in stabling his horses and those of his attendants, and in supplying wood and grass gratis, in carrying loads, and going with messages, &c. &c.; and this duty continued for the time the Muámalahdár remained in the district. The calls for their services becoming unfrequent, in consequence, probably, of the introduction of the revenue-farming system, the district farmers levied the Rabtah; but other duties, excepting the supply of wood and grass, and stabling the horses, were unaffected by it. At the town of Kheir, Tálluk Kortí Ahmednagar collectorate, the Mahrs have 180 bighás of Inám land; the Rabtah is only ten rupees. On desiring an enumeration of the duties of the Mahrs, I was told they had to supply wood and grass to government officers and travellers, to act as guides, as porters to carry baggage, to go as messengers, and to perform all the customary village duties.

At the town of Kanúr, Taraf Kanúr, held in Jágír, I found the Mahrs' present duties were to cut grass and wood, to perform the duties of grooms for the Jágírdár and government officers, to carry loads, letters, packets, and messages, to act as guides, and to attend strangers. At the town of Kothul, Parganah Kothul, Ahmednagar collectorate, the half of which belongs to the British, the Kulkarní, in one sweeping expression, said, the Mahrs had to perform all duties required by the government, or the Pandrí, without exception: they had at this place the two Ináms, Sísolah and Harkí, and the quit-rent Inám Arólah. So essentially is the duty of cutting wood and grass associated with the office of the Mahrs, that their signature, in all public documents of the village, is a sickle, or hatchet, and a rope, the former to cut grass and wood, and the latter to bind it up. Finally, a few words are necessary with respect to some strictly village duties of the Mahrs; they are the referees in all boundary disputes; they are the guardians of land-marks, and know the limits of each field; they get the cultivators together in collecting the revenue, and it is their duty to carry the money collected to the district collector; and they assist the Patél in his police duties. In no instance, in the course of my inquiries, did I find them performing watch and ward for the

village, or made responsible for losses by robbery. In cases of an individual of consideration putting up in their village, or encamping outside the walls, if he desired protection at night, and there were no Ramosís, or Bhíls, in the village, whose specific duty is watch and ward, then the Mahrs performed the duty.

It is to be understood, that in the whole of the duties of the Mahrs, whether for government or the village, they are not bound to go beyond the village neighbouring to their own; here they hand over their charge to the village Mahrs, and return.

From the above details, it will be seen what are the respective claims of the government and the village on the Mahrs. Where the Rabtah tax prevails, it modifies, but does not abrogate, the government claims; and where it does not exist, as the Kulkarní of Kothul declared, there the government and village claims for service are to the extent of the Mahrs' physical means.

This class of the community, although so debased in its moral and religious relations, is unquestionably in more easy circumstances than any other part of the people. Government having relaxed its hold upon the Mahrs, without diminishing their means, in many towns and villages they are become indolent, impudent, and litigious; and, in many instances, it came to my knowledge that they were at issue with their villages, striking work, and leaving all their burdensome duties to be performed by the cultivators. Their efficiency in diffusing information over the country is very remarkable; and we have repeated instances of news, letters, signs, or tokens, involving the communication of certain matters, having been sent from Hindústán, and diffused over the Dekkan, by means of this class, with an astonishing rapidity. Even at the present day, distant political events are known to the native community as soon, and sometimes sooner, than to our own government; and it is by means of the Mahrs. Their method is very simple: A message, a letter, or some simple and easily multiplied token, is put into the hands of three or four village Mahrs; each runs to a neighbouring village, and delivers his message; copies are instantly taken of the letter, or the tokens are suitably multiplied, and three or four men run with them to three or four neighbouring villages. In this way they spread in geometrical progression, or as circles expand on the surface of water when a stone is thrown in. Forwarding information is a village duty; and the collectors might well avail themselves of it to communicate with their district officers, to the saving of the expense of the Síbandís, or irregular troops, who are now kept up for that purpose, and to the improvement of the speed with which information and orders are now sent.

## CHAP. XII.

LANDS were given to Sepoys in the districts, in lieu of salary, for the performance of specific duties, principally in the protection of their villages.

The tenure is called Shétsanadí, from Shét, a field, and Sanad, a grant. The Shétsanadí's are, in fact, a landed militia. This tenure is still found in five Parganahs of the Poonah collectorate, namely, Havailí, Sholapúr, Mohol, Indí, and Mudébhíhall; the lands held being to the value of 84,435 rup. 2 qrs. 43 reas, including a right upon the Sayher, or shop, and professional tax to the amount of 381 rupees. In looking over the papers of Karmáleh, Ahmednagar collectorate, I found a deduction of 1126 rs. for the value of lands alienated at Shétsanadí. This alienation is probably not confined to Karmáleh; but I did not remark the cost of it in looking over the Jamabandí settlement of the collectorate for 1827-28.

There are several other tenures, of which a rapid notice may be given. The Chaugula is the Patél's assistant. He is found in most villages; sometimes he has a trifling land-grant, but commonly a fee in grain from the cultivators. At Kúral and Wangí, bordering on the Kanrí, or Carnatic tracts, I found the Chaugula denominated Baglah. Usually he is a Mahratta; but here he proved to be a Lingáit Wání, who is a seller of groceries by profession, and, in religious tenets, is exclusively a worshipper of the Ling, of Mahádéva.

In some Tarafs a Haváldár is still found. The term is rather descriptive of a military person than a civil functionary.

The Haváldár was probably introduced by the Musalmáns, to assist the Patél by his influence, as a person on the part of the government, in the collection of the revenue. The Haváldár's support was usually a grain-payment, levied on the cultivators. At Tacklí, near Ahmednagar, I found the Haváldár (a Musalmán) entitled to half a sér of Joarí on each bighá under cultivation. In 1827 this amounted to about 1200 sérs. The half of it went to the Haváldár, who took it in kind; the other half went to government, who commuted it into a money-payment, at forty sérs per rupee. At Nandoor, Parganah Baragáon Nandoor, the Haváldár's family is extinct; but the rights are levied from the village, and government obtains twenty-four rupees per annum in lieu of them.

Mr. CHAPLIN, in his Report on the Dekkan, mentions a Haváldár as an officer of a Taraf, under the last government, whose duty it was to make the collections of the Mahalls, or Tarafs, and to remit them to

the Muámalahdárs, and to inquire into petty complaints. In some small districts, called Tarafs, in lieu of the Haváldári cess, there appears a cess denominated Náikwarí. It is probably the Hindú appellation equivalent to the Musalmán term Haváldári. The Náik was a petty officer in the Tarafs, and assisted in making the collections; he now assists the Shaikdár, or inspector of cultivation, in his duties.

In the small district of Mahr, Kohreh Poonah collectorate, containing one town and eleven villages, the tax in kind levied upon the cultivators, called Náikwarí, amounted to forty-eight sérs per village, excepting the town of Mahr, which is not cessed. In this Taraf, the Náikwarí is in the possession of a Mahratta family of the name of Síndeh. At the town of Kanur, Taraf Kanur, Ahmednagar collectorate, the Náikwarí's fee is twelve sérs of grain on every thirty bighás of land under cultivation. The duty of the office there made the person holding it a kind of *homme d'affaires* for the Jágídár and the town authorities. Captain GRANT DUFF describes the term to be applicable to a kind of hereditary land-measurer on the village establishment. I have not met with him in this character.

The Ballotí tenure has already been spoken of. Frequently small portions of rent-free land are held by the individuals composing the village office-bearers; but their chief support is their Ballúteh, or grain-right, on the cultivators. The tenure on which their rights are held, is to perform specific duties, each in his line or business, for the village and villagers, and occasionally, also, for the state.

In the southern villages, bordering on the Carnatic, I met with the village officer called Talwár; he is unknown to the genuine Mahrattas. His duties appear to assimilate him with the Haváldár of the districts further north. At the villages of Kúral and Wangí, on the Sína river, I found the Talwárs to be Kóhlís in caste, and not Mahrattas. Repeated mention is made of the Talwár in Dr. MARSHALL's Report on the Neighbourhood of Dharwár.

The Ramosís (thieves by birth) are found in most villages in the Dekkan, between the parallels of lat. 17° and 19° north, and long. 73° 40' and 75° east. They have occasionally lands in Inám given to them, to be responsible for the safety of property in the towns and villages where the lands are granted. I observed this to be the case at the town of Kheir, on the Bíma river, Taraf Rasín, where the Ramosís have sixty bighás of land. In the same town the Mahrs have one hundred and eighty bighás. These distinct grants, therefore, prove that watch and ward is a separate duty from that of the Mahrs. Most of the villages in the Dés, or open country, think it

necessary to have one or more of these villains in employ, to secure the village from robbery; there being an understanding amongst the fraternity which assures the village of protection. They are usually paid in contributions in grain from the inhabitants. It is the duty of the Ramosí to perform watch and ward; and in all my marches in the Dés, the Ramosís were deputed by the villagers to watch my tents at night, the inhabitants of a village being considered responsible for the safety of the property of a stranger who puts up with them.

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### CHAP. XIII.

At the town of Baragáon Nandúr, Parganah Baragáon Nandúr, on the Múl river, which is without the location of the Ramosís, I found four families of Bhíls in possession of thirty bighás of land, held on the tenure to be responsible for all property stolen from the village. This was the first instance of the kind I had met with. The Mahrs in the same village had an Inám (Arólah) of one hundred and twenty bighás.

In the hilly tracts the Kohlís are employed in a similar manner to the Bhíls.

Cheteh is the person by common consent admitted to be the head and spokesman of the shopkeepers and market people, where they are in sufficient numbers to require one; and as combination, in its fullest sense, every where exists amongst shopkeepers in the regulation of prices, he is of some importance amongst them as their organ. Maháján means properly a merchant: he is an inferior person to the Shaikh, and occupies his place as occasions demand. Both these people in some towns and villages have trifling Inám lands and claims for money and grain, but on what tenure of service to the community is not very apparent.

I should scarcely have introduced mention of the Sar Patél and Sar Désái, as it has not come to my notice that they hold lands in tenure; but mention is made of them as Hakkdárs, in village expenses. The Sar Patél's rights of money, grain, and Ghí, are very extensive at the two villages of Borowlí and Kewleh, in the Poonah collectorate; for in a revenue of 331 rups. 1 qr. 3½ annas, in the former village, the Sar Patél was entitled to a money-payment of 3 rups. 2 qrs. 3 as. and one sér of Ghí, in lieu of which he was paid half a rupee. At Kewleh, in a revenue of 948 rups. 0 qr. 2 annas, the Sar Patél received 9 rup. 3 qr. 3½ as. in money, and one sér of Ghí, or half a rupee

instead. The Sar Patél's rights, within my northern limits, I understand to be vested in the family of ESWANT RAO DABARCH, of Telle-gáon, whose son was married to a daughter of DAULAT RAO SÍNDIAH. In each of the above two villages, the Sar Désái (vested in the family called Chaskar, from holding hereditary offices in the town of Chas, on the Bíma river), was entitled to one rupee in money, and one sér of Ghí, commuted to half a rupee. I am ignorant of the duties these great personages have to perform. The Désái is probably indential with the Désmukh, as in the southern Mahratta country he is found in the situation of the Désmukh, the latter term not being used. The Désái was rarely met with by me.

Captain GRANT DUFF makes mention of several Sar Désmukhs, and that AURANGZÉB allowed the old Sar Désmukhs two per cent on the revenue. They were probably the connecting links between the Désmukhs and the prince. The Sar Désmukhí of modern times, which appears in all village accounts, was ten per cent on the Mogul revenue exacted by SEWÁJÍ from the Musalmáns. It was levied over and above the Musalmán revenues: the sufferers, therefore, by Mahratta violence were the Mahratta cultivators; and on the whole of the possessions of the Musalmáns coming into the hands of the Mahratta government, the Sar Désmukhí should have been abandoned. But it remains to this day as part of the revenue; for instance, at the town of Jehúr, near Ahmednagar, whose Tankha is 10,817 rup. 3 qr. 2 as.; the Sar Désmukhí is 1350 rup. 3 qr. 3 as.; and Kamál, or total, 19,363 rup. 1 qr. 3 as. At Khair Tálluk Kortí, the A'in Tankhuáh is 8852 rup. 0 qrs. 3½ as.; the Sar Desmukhí is 1106 rup. 2 qrs. 2½ annas.

Individuals have shares in the village revenues, distinguished by the names of Mokassa, Sahotra, Babtí, and Nargoura. The most intelligible way to describe these, is to say that persons have money-assignments, amounting to a definite per-centage on the revenue under these names. In their origin, Mokassa is sixty-six per cent, Sahotra, six per cent, Babtí, twenty-five per cent, and Nagoura, three per cent, of the Chouth, or fourth of the revenue, extorted by the Mahrattas from the Moguls. SEWÁJÍ and his chiefs shared it amongst themselves: the chiefs had the Mokassa for military services; the Sahotra was given to the Pant Sucheu, one of the ministers; the prince's share was the Babtí; and the Nagoura, which is synonymous with Sar Patél, or chief of all the Patéls, was at the disposal of the Rájá. The equal division of property and rights amongst children has occasioned the reduction of some of the shares to the most trifling amount, where families have multiplied.

With reference to the tenures above detailed, excepting only Sarva Inám, or lands entirely free, and hereditary lands, there was an obligation of specific service on the individual or body of men enjoying advantages under the several tenures. The non-performance of these duties involved the forfeiture of their rights; but, independently of such forfeiture, all grants whatever were, no doubt, resumable at the pleasure of the prince. Grants for religious purposes were rarely recalled, but for other objects they were frequently abrogated; particularly, Jágír, Saranjám, and Hakkdár's grants. To such an extent did this exist under the last government, that Mr. ELPHINSTONE, in his Report, enumerates, as an item of revenue, Watan Zabtí, or sequestered lands of Zamíndárs, which yielded annually fifty thousand rupees. The resumption of Jágírs by the Péschwá is well known. Finally, I have no hesitation in expressing my opinion, that in many instances Désmukhs, Déspandehs, Patéls, and Kulkarnís, have furtively taken advantage of the confusion consequent on the government passing into new hands, to enlarge their Inám lands, ready-money claims, and grain-fees; and a register of their present rights, embracing the minutest details, appears necessary to put limits to further encroachments.

The whole number of *populated* towns and villages in 1828, in the four collectorates of the Dekkan, amounted to 9535. Of this number, 1695½ appear to be alienated, or 7·74 per cent (not quite a sixth), leaving 7839½ on the several collectors' returns. To this number are to be added the *depopulated* villages, whose lands are under cultivation, as they are not included in the lists.

W. H. SYKES,

*Statistical Reporter to the Government of Bombay.*

ART. XIII.—*A Memoir of the Primitive Church of Malayála, or of the Syrian Christians of the Apostle THOMAS, from its first rise to the present time, by Captain CHARLES SWANSTON, of the Honourable East India Company's Madras Military Service. —Communicated by the Madras Literary Society and Auxiliary Royal Asiatic Society.*

(Concluded from page 62, No. III.)

## CHAPTER THE SIXTH.

THE PRESENT STATE OF THE SYRIAN CHRISTIANS OF MALAYÁLA—THEIR CREEDS  
AND DOCTRINES—THEIR MANNERS AND CUSTOMS.

FROM the year 1661 to the present day, the Syrian Christians of Malabar have remained a divided people. The churches which have maintained their independence of the Roman pontiff are in number fifty-seven; their number of officiating priests, commonly called catanárs, is one hundred and forty-four; and the families belonging to their churches, at the lowest computation, are reckoned at thirteen thousand five hundred, or about seventy thousand souls. They consider themselves as the true descendants of the flock established by Saint THOMAS, and acknowledge the ecclesiastical authority of the patriarch of Antioch, or Mosul, from whence they continued, after their separation from the Roman Catholics, till the year 1751, to receive their metropolitan. But that ancient patriarchal authority having become nearly extinct, and incompetent to the appointment of learned men, their metropolitans have, since that period, been elected and consecrated from amongst themselves.

Their designation, sanctioned by their own use, is that of Syrian Christians of Malayála, but they are called by the other sects Jacobites, Schismatics, or New Christians; and are generally known through Travancór under the common appellation of Mapallas. The name, however, by which they are recognised in all parts of India, is that of Christians of Saint THOMAS; and imports an antiquity far beyond any other sect.

Whatever credit may be thought due to the current tradition of these Christians, that the Apostle THOMAS planted the seed of the Gospel among them, so much may be considered established beyond contradiction, that they existed in Travancór as a flourishing people, connected with the Syrian church, from the first centuries of the

Christian era ; and that considerable grants, immunities, and precedencies, were conferred on them by the native princes, the greater part of which have been uninterruptedly enjoyed, and are now visible among them. They identify themselves with the subjects of the before-mentioned traditions ; and bear undoubted marks of their Syrian original, and of the high dignity and honours to which, in former times, they were raised.

On their first discovery by the Portuguese, the Syrian Christians, separated by their religion and social customs from the other classes of the community, were found to possess a peculiarity of moral feeling, and to be of considerable importance. They were distinguished by their conscientious regard to truth, and their general manliness and independence of character ; and were considered as constituting the chief strength of the princes by whom they were protected and employed. Their clergy was a learned body ; their creeds and doctrines bore internal evidence of their being a primitive church. Roman Catholicism was unknown to them ; the worship of images they regarded as idolatrous, and purgatory as fabulous. They admitted neither extreme unction, marriage, nor confirmation, as sacraments, and held not transubstantiation as a doctrine.

Their decline may be traced to the following causes : the appearance of the Roman Catholics on their shores, and the preponderating influence of the Portuguese with the Hindú governments ; the destruction of their most ancient monuments, and loss of their rights of nobility, during that short and calamitous interval in which they were all nominally subjected to the papal power.

The dissolution of the petty sovereignties into which the provinces, now constituting the kingdoms of Travancór and Cochin, were formerly divided, produced a sad reverse in the condition of the Christians, who, considerable as to numbers and influence, as regarded the several states through which they were distributed, forming a distinct principality of themselves, subject to one ruler in temporal as well as spiritual affairs, and holding a footing in the land equal to that of the nobles, acted a distinguished part in the history of their country ; whereas, upon that dissolution, they formed but a small integral part of a large community, and, having no public share in its affairs, their remaining consequence was left to depend solely on the opinion that their former power had created.

But, independent of these causes, there are others which may be set down, equally, as the general and direct consequences of their reverse of fortune :—their mutual fears, jealousies, and discords, terminating in a fatal and apparently irreconcilable schism in

their body; the interruption of that regular intercourse with Syria, whence flowed their peculiar spirit, and on which depended their moral and ecclesiastical condition; the ignorance of the clergy, and their gradual decrease in the knowledge of the only language that contained the principles of divine knowledge; the loss, in their union with the Jesuits, of that pure system of religion and morals by which they were formerly so eminently distinguished; the introduction of many superstitious practices, and a gradual assimilation towards many of the worst customs and vices of the country.

Notwithstanding the disadvantages of their situation, and the misfortunes they have suffered, under all the causes of deterioration which have been mentioned, they still retain some of the virtues by which they were formerly distinguished. They are remarkable for mildness and simplicity of character, rectitude of conduct, veracity, plain dealing, and attention to their religious duties. They are strikingly superior to the other tribes amongst whom they live; and although they have lost the *sentiment, character, and high station*, which they once possessed, they are still greatly respected by the Bráhmans and Nairs of the country.

Their pursuits are varied, though chiefly confined to agriculture and trade; but the majority derive their scanty sustenance from daily labour. Many among them, however, are highly respectable, especially those of the class termed Taragau; yet there are none who can justly be styled men of property.

The sad effects of the oppression under which they so long laboured are still visible in the fear they manifest of attracting notice, and in their great indolence. No manly exercises are practised: the use of the spear and the gun is forgotten; and the warlike propensities of their ancestors are entirely obliterated. Their anxiety appears to be to avoid public observation, and not to excite envy by the exhibition of either comfort or happiness in their houses.

Their clergy are extremely poor: they derive a precarious and inadequate support from the offerings of the laity on festival days, and on the administration of the occasional rites of the church; but which afford a scanty sustenance, and, in very few instances, exceed the yearly allowance of sixty rupees to a cataná: yet, even this is obtained with considerable difficulty.

Their metropolitan lives independently of his diocese, and is no burden on the penury of his people. He is maintained by the funds of the College of Cottayam, from which he receives a yearly income of six hundred rupees. This is the sole revenue of the spiritual ruler of this ancient church. One, who in his outward appearance, as well

as in his domestic economy, has no pomp or ostentation. His life is abstemious, his table frugal, and his habit plain. Nor is he in any way to be distinguished from the clergy amongst whom he lives, except on occasions of ceremony, when he assumes the pontifical robes, and the insignia of his office.

Many of their churches are in a state of great dilapidation and decay, and some in ruins. Among these may be mentioned the very ancient church of Nuranum, which tradition refers to apostolic times; the large church of Cadambanat, not unlike an English cathedral in its lofty roof and lengthened chancel; the large church of Parú, capable of containing fifteen hundred people; and the ancient cathedral church of Angamalè, both of which were destroyed by TIPÚ SULTÁN, on his invasion of Travancór, in the year 1790.

Their poverty, perhaps, as well as superstition, have imposed on the Syrian Christians their excessive fasts, five annual lents, during which both clergy and laity abstain not only from flesh, fish, and eggs, and from tasting spirituous liquors, but from all kinds of food in which there is milk or butter. In Lent, their fast is observed with rigid severity for fifty days; the same in Advent. That of the Assumption of the Virgin Mary, from the first to the fifteenth of August; that of the Apostles, which begins immediately after Pentecost, for fifty days; and that of the Birth of our Saviour, for twenty-five days before Christmas. Besides these annual fasts, the Wednesdays and Fridays throughout the year are set aside as days of fasting, beginning at sunset of the preceding day, and ending at sunset.

All these observances are ordered under pain of excommunication, and kept with strictness as to the quality, but not as to the quantity, of food, people of great age being alone exempted.

The Popish ceremonies and customs which have been gradually admitted among the doctrines and rituals of their church, give an appearance to their service of the Roman Catholic worship; they use a version of the Bible made by apostolical men; their liturgy is that which was formerly read in the churches of the Patriarch of Antioch, and their language is the Syriac, the very dialect of our Lord and his apostles; their creed coincides with the articles of faith of Athanasius, but without its damnable clauses; they deny the tenets of the Nestorian heresy; they believe in God the Father, Son, and Holy Ghost; that Jesus Christ was born of the Virgin Mary, and was incarnate God and man; and that Christ appeared upon earth for the salvation of mankind, through whose blood and merits atonement was made for

the sins of men ; they hold the regeneration of the soul to righteousness, and they believe that the souls of the blessed will not see God till after the day of universal judgment.

They commonly acknowledge seven sacraments — baptism, and the Lord's supper, ordination, confirmation, extreme unction, penance, and marriage ; they make use of holy oil in baptism, and in the administration of the sacraments ; they practise auricular confession, even as children from the age of seven and upwards ; they say masses for the repose of the souls of the dead. In former times they consecrated with cakes, in which honey and salt were mixed, and which were baked in the church with many ceremonies and prayers ; instead of common wine they made use of a liquor expressed from dried grapes steeped in water ; and, when raisins were not to be had, the juice of the cocoanut-tree was substituted. These customs continued till the time of the Archbishop Mar Joseph, who introduced the wafers of the Roman Catholic church, and the wine of Portugal. In the present age they have reverted to their ancient rites, and consecrate with cakes made of wheaten flour, prepared with salt and leaven, that are baked in the church ; still, however, adhering to the wines of Europe, generally Madeira, in which the bread is dipped and given to the laity.

In the form of baptism they use cold and warm water mixed ; the sign of the cross is marked on several parts of the body with consecrated oil ; no particular age is deemed essential by the laity, some say it should be within forty-one days of the birth, but it often happens that the child is not baptised till it has attained a much greater age. Women who are delivered of boys do not enter the church for forty days after their confinement ; for daughters, the number of days is doubled, when the mother presents herself at the altar, and offers her child to God and the church.

In marriage, although acknowledged as a sacrament, they have no particular religious rites ; they content themselves with calling in the first catanár that presents himself, to deliver the benediction ; and sometimes the parties are contracted with superstitious ceremonies, resembling the practices of the Hindús.

In burial they use no coffin ; the custom of burying in the church is very common, but is unattended with any peculiar and fixed religious ordinances ; they bewail the dead in loud lamentations ; wax candles are carried in procession ; incense is burnt ; solemn dirges are chaunted ; masses for the repose of the souls of the deceased are repeated for forty days ; and they celebrate the memories of their departed relations and

friends in feasts. Their metropolitans are interred with many observances peculiar to the church, and the body is placed in the grave seated in a high wooden chair, dressed in the episcopal robes, having a wooden cross suspended from the neck, holding another in the right-hand, and the pastoral staff in the left.

They admit no images within their churches; in some of them a painted figure of the Virgin Mary is to be seen with the infant Jesus in her arms, which is regarded as an ornament and not as an object of idolatrous worship: they venerate the cross, and display it on the altar, and in various parts of the church, in gold and silver, in wood and stone. The services and observances of their church approximate more nearly to the Armenian church than to that of any other; the prayers are chaunted by the priests with a loud voice, the oldest catanárs always presiding. During the performance of divine service there are intervals of silence, in which the priests pray in a suppressed tone, accompanied by frequent prostrations and crossings on the forehead and breast; the people, at the same time, repeating to themselves the prayers that have been translated and taught to them in Malayal'ma, prostrating and crossing themselves after the manner of the catanárs. At the conclusion of the service, the elder priest (or the metropolitan if he is present) comes forward, and all the congregation pass by him as they quit the church, receiving his blessing individually. If any person has been guilty of any immorality the benediction is withheld; this, in their ancient, primitive, and patriarchal state, was accounted a great punishment, but, in the decline of their church, they have to lament the decay of piety, and the loss of that respect and awe for the institutions of their forefathers.

On the Sabbath day divine worship is performed twice. In Lent, and in the other great fasts, three times a day; in the morning, in the evening, and at midnight; at the last hour the attendance of the laity is not regular, but no one fails to be present at the two preceding, to receive the blessing from their spiritual guides, and to offer in return their vow of peace and obedience, a ceremony that consists in taking between their hands those of the catanárs, and kissing them, after having raised them on high.

They hold in the highest respect their patriarch of Antioch or Mosul, and make mention of him in their prayers; their metropolitans, for the time being, are prayed for by name in their daily liturgy. It is the duty of the metropolitan, assisted by the clergy, to watch over the morals and manners of his flock; his authority is paramount over the spiritual affairs of the church, and he is the sole judge in all ecclesiastical causes. In the temporal concerns of his

people he yet exercises an extensive influence, although in civil, as well as in all criminal cases, they are now subject to the laws and courts of the country, and to the final decision of its sovereign.

The civil power interferes, under no circumstances, with the punishment of the clergy; the guilty *catanár* is delivered over to the ecclesiastical authority to be dealt with agreeable to the ancient laws of the church, which also takes cognisance of all crimes of adultery, seduction, constupration of virgins, swearing, abuse of the holy orders or of their religion, fighting in the church, and many others. In the case of a *Hindú*, or other unbaptised person, committing adultery with, violating, or seducing a Syrian woman, the delinquent, on a representation being made to the sovereign, is sent to the metropolitan to suffer the punishment awarded by their customs.

The church discipline was in former times extremely severe; its censures were greatly dreaded; the excommunicated murderer, or other heinous offender, was never absolved even in death; but this punishment is not now always practicable either with the priests or laity, who have their relations and friends to take their part.

The sacred orders are held in great esteem amongst the laity; they have three orders of priesthood — bishops, priests, and deacons; the bishops are styled metropolitans, and the priests *catanárs*. The *malpans* are learned men in holy orders, professors, or doctors, like the rabbins amongst the Jews, instructors of youths intended for the priesthood.

The metropolitan is elected from amongst the *malpans* and senior *catanárs*, and is either nominated by the metropolitan for the time being, or by the clergy and elders of the church, who, in general assembly, approve or reject the candidate. If there are several candidates lots are drawn, after an invocation of the divine blessing, in allusion to the circumstances recorded in Scripture of the appointment of a successor to Judas Iscariot. One bishop consecrates another. For many centuries the dignity of archdeacon, and afterwards of metropolitan, was hereditary in the family of *Palikommatta*, which went over to the Roman Catholics upwards of 160 years ago, and is now extinct. Their history says, “*KNAI THOMA*, or *MAR THOMAS* (an Armenian merchant, who came over in the year A.D. 345), and the bishop and doctors, after consulting together, agreed, that the right to rule over all the churches in *Malayála* could not be taken away from the families out of which the Apostle *THOMAS* ordained priests, and in conformity herewith, from those families were to be chosen such as were to have jurisdiction, and to be archdeacons; and, while this continued, bishops were in the habit of coming from Antioch, who

gave all the authority in Malayála to the archdeacons, and this continued till the Portuguese took the fort of Cochin. These foreign metrans, who came by order of the patriarch, have never done any thing, either great or small, without the permission of the metran of the family of Palikommatta governing in Malayála, with whose consent they ordained and gave the anointing oil for baptism, extreme unction, &c. as also did the native metropolitan."

Archdeacons they have none at present, but the appointment rests with the metropolitan. Formerly native archdeacons ruled over the church.

The priests are generally of the best and most respectable families; and, consequently, upon their character, as to morals and information, depends, in a great degree, that of the district in which they reside. There are commonly more than one catanár to a church, and sometimes as many as five or six. A lad is chosen by the presbytery, always of a family belonging to the parish, and presented by the church to the metropolitan for minor orders, which are never withheld unless the principles and moral conduct of the candidate are extremely exceptionable; but the further orders are conferred at the discretion of the metropolitan. The celibacy of the priests is with them rather a custom than a dogma: they admit not only, that it is not required by Scripture, but also its evil tendency and consequences. It is only forty years since four of their principal catanárs were married; and in later years, some of them were induced to marry by the influence and persuasion of the British authorities in Travancór, and a marriage gift of four hundred rupees, presented by the sovereign of the country, to induce them to return to the ancient usage of their forefathers, and to enter the nuptial state. The feeling of the church is, however, against it.

The ordinary dress of the metropolitan is a loose vestment of dark-red silk, with a large golden cross hanging from the neck. On public occasions, a yellow muslin robe is thrown over his under garment, he wears the episcopal mitre, and in his hand he bears the crosier, or pastoral staff.

The established dress of the priests consists of a white loose shirt worn over large white trousers; and when they add to this a long gown of the same colour, they are in full clerical attire. They allow their beards to grow and to descend over their breasts, which gives them a very patriarchal appearance. The hair of the head is cut short around, to resemble a crown or tonsure; and is exposed to view when officiating in the church. At other times the head is covered either with a square piece of cloth, or coloured silk, the corners of

which are loosely crossed upon the forehead, and permitted to flow over the shoulders and down the back.

In the costume of the people, there is nothing peculiarly striking to distinguish it from the common dress of the country. The men are naked, with the exception of a piece of white cloth that conceals the body from the waist to the knee, the quality of the cloth constituting the only difference between the rich and poor. On the head, a square handkerchief of coloured silk, or white cloth is worn, when abroad, travelling, or on occasions of ceremony. They shave their beards, but let the hair of the head grow to a great length, which is tied up into a knot behind, and fastened there with a cross of gold or silver, or some other kind of metal. The women display on their legs, just above the ankles, large bangles of silver, brass, or copper; and have always suspended on their bosoms, hanging from their necks, a cross of gold, or of other metal. The cloth with which they are covered is put on in folds around the loins, and extends to the middle of the leg: they wear on the upper part of the body a chemise, which conceals their breasts, and descends below the waist, over the folds of the lower garment. When they go to church, or when they visit their prelates, they put on a white cloth, that reaches from the crown of the head to the ground, and hides from view every part of the body but the face.

The people are of a very interesting and handsome appearance, possess fine persons, an elevated and even haughty carriage. In their manners they are ceremonious, although marked with, perhaps, rude simplicity; and in their discourse they are very prolix. They are ignorant and uneducated, much given to soothsayers and omens; but extremely inquisitive and curious, and very jealous of all interference with their religion, immunities, or customs.

They marry immediately they attain the age of puberty. The women are extremely modest, pious, and retired, notwithstanding the libertinism of their neighbours; the men are affectionate husbands and fathers, and kind masters to their slaves, whom it is by no means uncommon for them to adopt, when they have no children of their own.

In their repasts they are extremely temperate, seldom eating meat, and never drinking spirituous liquors. Their food consists of boiled rice, with salt, ginger, a little ghí, black sugar, the roots and fruits of the country, salt-fish, curds, oil-cakes, and milk.

Before their parents, ecclesiastics, and superiors, they stand uncovered, holding the left hand before the mouth.

In their assemblies, it is only the aged and the most elevated in

rank that speak ; the others, unless addressed, observe a strict silence. In the roads, when two meet, the inferior uncovers his head, and inclines his body forwards. This is a mark of respect shewn to old age, persons of rank, and to the clergy.

The style of their houses does not differ from the other habitations of the country. The form of their oldest churches is of Saracenic origin—long narrow buildings with low entrances, having buttresses supporting the walls, and sloping roofs. The more modern churches approximate a little to the style introduced by the Jesuits, and have pointed arched windows, circular and fretted ceilings over the altar and choir, with the beams of the roof exposed to view. They are little ornamented, and kept generally in a state of uncleanness and decay, very unbecoming places of Christian worship ; but which, however, is alone to be attributed to the extreme poverty of the nation, and not to any decline in the community of that feeling of respect for the religion of the Gospel, and the creed of their forefathers.

The churches which acknowledged the supremacy of the pope, and continue in the pale of the Latin church, are called Syro-Roman churches, and the people, old Christians. They are more numerous now than the members of the original church, consisting of ninety-seven parishes, with a congregation of ninety thousand souls, and with the converts from other tribes to the Roman Catholic religion, form a population of one hundred and fifty thousand persons, living under the three ecclesiastical jurisdictions already mentioned, viz. Cranganore, Cochin, Quilon, and Verapoly.

These Syrian Christians, although they acknowledge the supremacy of the Roman pontiff, and remain attached to the Catholicism of St. Peter, are distinguished from the neophytes to that faith, in refusing to pray in Latin, and in retaining the ancient language of their primitive church for the performance of all the services of the church, a mixture of the rituals of Syria and Rome.

After the suppression of the Jesuits, the Syro-Roman Catholic churches in Travancór and Cochin were attached to Goa, and were supplied with Portuguese clergy from that place ; but the institution of Verapoly, which is composed of Carmelite friars, and receives its bishops and clergy from the Propaganda Society at Rome, has gradually encroached upon the governments of the Archbishop of Cranganore, and of the Bishop of Cochin and Quilon, who are suffragans of the Primate of Goa, and now exercise as extensive a jurisdiction as either of them.

The Dutch, whilst in possession of Cochin, endeavoured to extend their political influence by affording protection to the Roman Catholic

Christians, who in consequence of the friendship of that power, their own number, and the presence of European prelates, enjoyed a certain portion of civil rights : but their morals are singularly depraved. The Christian religion has degenerated in the Roman Catholic church of Malayála into the most abominable superstitions ; which are equal to many, if not to all, of the disgusting ceremonies of the monstrous worship of Bráhma. Their clergy are corrupt, licentious, and ignorant : many of them do not understand the breviary which they are obliged daily to recite—some of them can scarcely read it. They resist the circulation of the Bible amongst their flocks, condemn the reading of it as a sin, and fulminate the thunder of excommunication against the possession of the sacred volume, as the leader of schism, dissension, and insubordination.

The people are kept in utter darkness, no proper religious instruction is afforded them ; the outcasts of society are sought after as converts ; the pariahs, or lowest castes, are preferred to those of a more elevated rank, and chosen as their associates, and domestics ; from whence arises the contempt in which the Roman Catholics are held by every respectable Hindú in the country. The horror with which the former degraded people are considered has passed to the latter, and both are now nearly confounded throughout India.

The Indian convert to the popish faith is commended for devout ignorance, and an unlimited obedience to the orders of the church ; he is taught that a good Christian is he who comes frequently to church ; who presents the oblation which is offered to God upon the altar ; who does not taste of the fruits of his own industry until he has consecrated a part of them to God ; who offers presents and tithes to his church ; implores the patronage of the saints, and receives, with implicit credulity and admiration, the fabulous tales concerning their miracles, which are made the subject of the instructions that the clergy offer to the people. No mention is made of the love to God, resignation to his will, obedience to the laws, or of justice and charity towards men. The convert changes the object, not the spirit of his religious worship, and endeavours to conciliate the favour of the true God by means not unlike to those which he had employed in order to appease his false deities : religion, according to the conceptions of the Indian Roman Catholic Christian, comprehends nothing else than a scrupulous observance of external forms, and a tacit belief in the legendary history of the saints, whose names crowd the Romish calendar, and the rites by which he persuades himself that he will gain the favour of heaven, are so absurd as to be a disgrace to reason and humanity.

The Roman Catholic Christians of Malayála are destitute of the virtues which abound among people who continue in a simple state of ignorance; they are strangers to the arts which embellish a polished age, and having no sense of decorum or propriety of conduct; there is no restraint on their passions which lead to heinous crimes. Accordingly, a greater number of those atrocious actions which disturb society are committed by this sect than by the other people of the country. "Bartolemeo, who was long attached to Verapoly, affords a strong, though reluctant testimony, of the refractory and licentious conduct of the Roman Catholic Christians in the vicinity of Cochin; and the gang robberies which frequently occur in the neighbourhood of this town are almost always found to have been committed by the Roman Catholic Christians."

There is an ultimate point of dissoluteness and irreligion beyond which society cannot advance. When defects, either in the form or in the administration of religion, occasion such disorders in the community as are excessive and intolerable, the church must go to ruin, or an attempt must be made to reform them. The disorders in the Roman Catholic church, together with the corruption of the manners and conduct of the clergy, which have continued to increase for a long course of years, seem to have attained their utmost point of excess. It may be reasonably concluded, therefore, that the overthrow of that church is near at hand, and if not the whole of its congregation, at least the greater and more respectable body, the Syrian Roman Catholic Christians, who were forced by the Jesuits to abjure their primitive faith and acknowledge the supremacy of the Roman pontiff will reunite themselves to their Syrian brethren of Saint THOMAS. A succession of causes and events may be traced, some with a nearer and more conspicuous, others with a more remote and less perceptible influence, which will contribute to this great end — to abolish idolatry and superstition, and to introduce the Christian religion agreeable to the Scriptures.

Colonel MUNRO, the late British resident in Travancór, on a report to government, says,—“The Roman Catholics are ready to avail themselves of the British protection for the security of their rights, but, according to the best judgment that I have been able to form, are very far from being really attached to the British interests and power.

“Many of the Roman Catholics, and particularly of the Syrians attached to them, sensible of the state of ignorance to which they were condemned by the arts of their priests, have manifested a disposition to join the proper Syrians; and, I believe, that no great diffi-

culty would be experienced in converting to the Protestant religion the greatest part of the Roman Catholics in Travancór and Cochin—an event extremely desirable on every ground of policy, humanity, and religion.

“The British nation possesses, in the facility of diffusing knowledge, important means of extending the Protestant religion, and a moderate degree of encouragement by the government will essentially contribute to the furtherance of that end. In Travancór, the means are already prepared, and little difficulty will be found in directing their application to the most salutary and important purpose, nor are those endeavours likely to encounter opposition from the people. They who cherish sentiments of hostility against the British power, and hopes of its instability will, of course, decry any measures calculated to unite the interest of a body of the people with its permanency: that power is exposed to greater danger from secret conspiracy than from open resistance; and this danger must increase with the extension of the British possessions, which augments the disproportion in numbers, already immense, between the rulers and the subjects; but, in establishing a body of native subjects connected with the mass of the people by a community of language, occupations, and pursuits, and united to the British government by the stronger ties of religion and mutual safety, ample means would be acquired of procuring information of the proceedings of the people and of all machinations against the British power. In the course of time still greater advantages would arise, and the support of a respectable body of Christian subjects would contribute to strengthen the British power in those junctures of commotion and difficulty which must be expected to occur in a country like India, that has been in a state of revolution for ages.

The introduction of Christianity in some of the provinces may be attended with delays; but, in Travancór and Cochin, there is already a numerous body of Christian inhabitants who, with moderate assistance and encouragement from the British government, will firmly attach themselves to its interests, and may prove of material service in supporting its power.

These kingdoms, from the most remote eras, have continued under the government of native princes remarkable for their devoted attachment to the Hindú faith, yet the Christian religion has prevailed to a great extent in all their districts, and, in some of them, particularly along the whole extent of their coasts, it has nearly supplanted the former creed of the people.

This extraordinary progress of the Christian religion does not

appear to have been obstructed by the jealousy of the Hindús. Its regular advancement under a series of Hindú sovereigns, is invincibly conclusive of toleration, and affords a striking elucidation of the marked indifference of the followers of "SIVA and VISHNÚ" towards those exertions, that are conducted with moderation and temper, for the quiet and peaceable propagation of religious opinions, and the diffusion of practices different from their own; a fact which seems to authorise the conclusion, that the dissemination of foreign creeds, unless carried to extremes, and combined with attacks on their civil rights, is not calculated to rouse the jealousy, or even to encounter the serious opposition, of the Hindú people. Any impediments, therefore, that may ever be opposed to the spreading of the truths of the Gospel, will arise from the political passions of princes, and not from religious principles.

Travancór and Cochín have been peopled from time immemorial by different nations, who, though mixed together in the same district, and even in the same town, still preserve their distinct character, religion, and customs, retain their peculiar language, and cling to the remembrance of their origin, their ceremonies, and the usages of the land where their ancestors were born, without in the least approximating to the habits and manners, or even to the language, of the nation in which they have been for so many generations naturalised.

Churches, mosques, synagogues, and pagodas, are intermixed; Christians, Mahomedans, Jews, and Hindús, perform their respective religious duties without molestation from one another. This admixture of so many and opposite religions and usages in the same community, has consequently familiarised and conciliated the minds of the people to the appearance of Divine worship different from their own, and exhibits a scene of the most perfect toleration amongst the inhabitants throughout the whole country. The stranger who settles in the land, so long as he conforms to the accustomed rules of decorum, may follow his own national customs, preserve his native language, and in all things observe the practices of his ancestors, without molestation or inquiry into his manner of living, and in perfect freedom and security.

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ART. XIV.—*History of Tennasserim, by Captain JAMES LOW, Madras Army, M.R.A.S., &c. &c.*

*Introduction.*

THE following abstract is taken from Captain Low's history of the provinces wrested from the Burmese during the late war, which, through his friend in this country, was presented to the ROYAL ASIATIC SOCIETY. Several portions of it have already been read at the general meetings of the society, and it is intended to continue to give abstracts from it in the successive numbers of this journal, in the confident hope that the British public will speedily call for the entire publication of a work containing the most authentic information respecting a country, our relations with which are daily increasing in value and importance.

It has been deemed just to the author and to the reader to present this abridgement as nearly as possible in Captain Low's own words: though manifestly not a practised writer, he describes the results of his experience with a strength and simplicity which could only be acquired by personal and intimate knowledge of his subject.

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CHAPTER I.

OBSERVATIONS, &c.

THE operations of the army employed against the kingdom of Ava brought, during the first campaign, the Tennasserim provinces under British sway. They fell at a period when their resources had not been affected by the contest; and the struggle which separated them from Ava was too short to impoverish them, or to diminish the interest with which a stranger might have been disposed to view them. It is proposed to describe the Tennasserim coast as it existed immediately after the conquest; and incidentally to notice circumstances connected with its condition since that period. It may be proper to premise, that the government of Prince of Wales' Island had been pleased to depute me to this coast as second in a political mission, and that the supreme government had subsequently honoured me, by requiring my services on the coast with reference to Siamese negotiations.

The coast of Tennasserim, in the strict acceptance of the term, includes perhaps a space lying betwixt about 8° 10', and 13° 30'

north latitude. To save unnecessary details and repetitions, the three provinces will be treated, so far as practicable, as a whole. With respect to what may be termed their *authentic general history*, Mr. CRAWFORD's valuable work, entitled *A Mission to Siam*, may, amongst others, be referred to. In 1687, the English at Mergui were massacred; Tavoy was independent in 1759; in 1793, the Siamese and Burmans contended for Tennasserim, and in 1824, it fell under British rule.

#### TANNAU, OR TENNASSERIM PROPER, AND MERGUI.

THIS province extends from *Pilla-pye-kya*, or *Me ma-Myú* river, on the north, to *Pakchan*, a river which marks its termination on the south; east are the Siamese hills, and on the west the sea.

*Mergui*, the only town in the province, lies in latitude  $12^{\circ} 12'$  north, and about  $98^{\circ} 24'$  east longitude; the Burmans of this coast term it *Beit-myú* and *Mrit*, and the Peguers *Brút*.

The old town of the same name, which flourished until the inroads of the Siamese became too frequent to be resisted, lies about thirty-five miles up the Tennasserim river; it is reported to be now repeopling, and may be said to contain 150 houses, with a native officer to protect them. The Siamese range is a grand natural barrier, which is only at wide intervals in any perceptible degree broken. The highest peaks may be estimated at about 5000 feet, and the breadth of the belt, in this quarter at about ten miles: it seems to narrow itself as the breadth of the continent diminishes, but is yet so broad, in the space betwixt eight and ten degrees north latitude, as to approach the coast within ten miles. In the latitude of *Tavoy*, this range with its parallel ones, appears forty miles wide at the least; in that of *Martaban* they present a frowning barrier, the breadth of which has not been ascertained. The whole of this belt is clothed in dense primeval forests, and is only occasionally visited by Siamese or Burmans; it is filled with wild beasts, and the valleys, formed by the inferior ranges, give shelter to those Karian tribes who disdain, or avoid, as far as they are able, any dependence on either of the nations above noticed.

The chief rivers of *Tannau* are the river of that name, and its branches, the *Keaupeah* or *Gaupeah*, which flows into the sea about thirty miles north of *Mergui*, and another about fifty miles to the south of *Mergui*, called *Pakchan*, which forms the boundary with the Siamese territory on this coast, as before noticed. The whole coast is, however, intersected at short intervals by creeks and small streams.

The *Tannau* river rises amongst the hills in about  $16^{\circ}$  north latitude; and, after flowing parallel to the *Tavoy* province, through a valley scarce wide enough to afford it a free passage, and where it has all the characteristics of a mountain torrent, it keeps the general line of the coast, receives in its way many small tributary streams from the eastern mountains, and finally, when nearly due-east of *Mergui*, turns suddenly towards the sea, into which it disembogues itself by three mouths. The northern entrance is alone considered quite safe for large shipping; but junks and vessels of sixty tons burden have been known to pass through the southern passage. The *Thetis*, Bombay cruiser, sailed up the latter to Old Tennasserim in 1824-25. The river is not safely navigable for boats further than one hundred miles from its mouth; but the Kareans, who live higher up, convey their articles for barter on bamboo rafts down the stream. Prahus of burden cannot ascend above Old Tennasserim; a branch diverges to the south-east of that place, which was often taken advantage of by the Siamese, when on plundering excursions. The main branch is called *Chaungí*, or *Large River*, a name which it retains in *Tavoy*, at the place where it was crossed by me in my route to the *Naye taung lan Pass*, literally *The Nats-stream Hill*.

## TAVOY.

THE *Tavoy* province is bounded on the north by the *Ye* district, at the *Pauktein nála*; on the south, by the *Múmahmyau nála* or creek; on the east, by the Siamese mountains; and west, by the sea: and it may be roughly estimated to contain 3600 square miles. It is a more hilly tract than *Tannau*, and perhaps less fertile by nature; the natives term it indifferently *Tawai*, *Dawai*, *Dawe*, or *Dahweh*.

The principal hills are those of the low range which runs north from *Tavoy* point, and nearly dividing into equal portions that narrow isthmus lying betwixt the river and the sea. The keys of this province are, the mouth of the *Tavoy* river, *Moyet*, on the sea shore; *Kalíng Aung*, on the north; *Keat-poa*, on the east; *Taun Byaup*, south-east; and *Mendat*, on the south.

The chief rivers are the *Tavoy* river, the entrance to which lies in about  $13^{\circ} 32' N.$  lat.; the *Chaungí*, or *Tennasserim* river, which flows about thirty miles eastward of the *Tavoy* river; the *Taun Byaup*, which falls into the latter at its mouth; the *Maung Magan*, flowing into the sea nearly opposite to *Tavoy*; the *Kanneindah*, or *Pauktain*, which falls into the *Tavoy* river about eight miles south of the town, after having watered the eastern part of the province;

and the *Pímbúí* river, which joins the *Taun Byaup* just before this last reaches the Tavoy river. The Tavoy river is picturesquely studded with islands, which, however, renders its navigation to square-rigged vessels tedious and difficult; properly considered it is not navigable to such beyond the town, although one has been known to venture about five miles further up. The town lies in  $14^{\circ} 4' N.$  lat., but boats of six coyans burden go up as far, in the dry season, as *Wúmbo*, at spring tides (which rarely reach *Keat-kún* village), and, when the river is full, small canoes can reach *Káli-gáon*, from whence its source is not far distant, for while there, in the driest month, the bed was found by me to consist of broad and deep pools, connected by narrow channels of running water scarcely ankle deep. The chief town is Tavoy, and there are reckoned 110 villages scattered over the plains and on the skirts of hills: the chief passes to Siam are the *Naye-daung*, and *Taun Byaup*.

*Ye*, or *Kolayé*, has been long considered as a dependency of Tavoy; it is a district of little note, and chiefly valuable for the timber it yields. It lies between the Balamein river on the north, and *Káli-gáon*, or *Kálin-gáon*, boundary on the south, and is confined by the Siamese range on the east; a pillar was formerly set up at a place called *Myí-kyá-kyauptein*, to mark the boundary. There are several elevated tracts in the district, and the *Maloe-taung*, a high hill bearing south-east of the town, is conspicuous: the face of the country is nearly overspread with forest and brushwood; here and there a few open spaces cultivated with rice may be seen. The river is not deep enough for square-rigged vessels to sail in, but large native prahus are here built, and sent to Rangoon and Martaban: the course of the river was explored by me up to the Kayen village, where the tide fails; a passage further cannot be effected, except in a canoe.

#### MAUTAMA OR MARTABAN.

THIS province, which is now nearly divided betwixt the British and Burmans, lies, as far as has been ascertained, betwixt  $16^{\circ}$  and  $18^{\circ} 20'$  of north latitude: on the north it has *Taung-damí*, and part of the *Chetaung* and *Thaum-pagú* province, and the Siamese hills; on the south it is bounded by the *Bálamein* river, which separates it from *Yé*; on the east is the Siamese range, or that tract called *Miya Waddy*; and on the west is the sea and the *Chetaung* province; on the north-west lies *Teitkillá*; and on the north-east, the *Saungín* river; south-east lies *Phiya-thaung-jú*, or Samchu, or the three pagodas; and south-west is *Púlágýn* island: the breadth of

the province may be rated at from sixty, at the lowest, up to one hundred and twenty miles, and its area may be taken at about 12,000 square miles.

The province consists of extensive plains, occasionally crossed by low ranges of hills, or diversified by insulated mountains and rocks : the chief hills are the *Jenkyeit-p'hra-taung*, which is rendered very conspicuous by its peak, and lies westward of the Burman town ; the *Joegaben*, or *Zoegabin-taung*, to the northward of the same place, and the *Daung-damie-taung*, *Mijein-taung*, and *Miyein-taung*. The ranges are, one stretching from the range on which the town stands towards *Jenkyeit*, the *Martaban* range running northward parallel to the river, and the *Malamein* and *Wakrú* ranges ; there are several small ranges of the great Siamese belt, which lie properly within the province.

Martaban is watered by fine rivers, almost all of which admit of an advantageous inland navigation. The principal of these is the *San-lún* of the Burmans, and *Krúng Mautama* of the Peguers.

The Siamese mountains have a majestic aspect when viewed from the Burman town ; and they are in this latitude about ninety miles on an average, from the sea. They trend to the north ; and the distance rapidly increases as the angle they form with the coast widens. Several peaks seem to the eye 5000 feet high, at the least. The range is broken in two spots on the Martaban frontier, through which lie the passes to Siam. The most important of these, and the chief key to the military position of Martaban, is the *Phra Song Chú*, or " Three Pagodas' Pass," termed by the Siamese *Phra Chedi Sam-ong*. The Pagodas lie in 15° 18' N. lat. and 98° 22' 15" E. long., according to Capt. Grant's observation after the war.<sup>1</sup>

This pass is not precipitous, like the *Nayédaung* one leading from Tavoy into Siam. It takes about twenty-three days to reach Bangkok, the capital of Siam, from the town of Martaban, by regular stages ; but the natives perform it sometimes in a much shorter period. The first two or three stages are on the *At'tharam* river ; thence to *Mé-nam née*, a post on the Siamese river of that name, occupies six or eight days. In three days more the traveller reaches *Kanbúrt*, a town of some note, and an important frontier post, where the *Mé Khlang* separates into two branches. He then sails down this river two days to *Ratphrí*, where he enters a canal, which leads him to the

<sup>1</sup> The latitude here is nearly the same as that assigned to it, from native information, in my plan of the Siamese empire compiled in 1822, but in it the longitude was put too far to the east.

*T'ha-chin* river; and in two or three days afterwards he reaches *Bankok*.

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## EARLY HISTORY OF THE PROVINCES.

## TANNAU.

No authentic accounts have been obtained of the early condition of this province; it appears, however, to have been first peopled by the *T'hai*, or Siamese race. At present the natives exhibit Burman, rather than Siamese features.

The Siamese, as the people of *Laü*, or *Laos*, say, branched off as a colony from them about the year 813 of Christ; but they do not appear to have reached the Gulf of Siam for a long period afterwards. They must have then spread down the coast, and probably colonised Mergui long before the Burmans had become a formidable nation to their neighbours. Europeans much frequented it about the close of the seventeenth century. The English had a settlement here in 1687, but the settlers were nearly all massacred. In 1793, the Siamese yielded and ceded to Ava the whole coast of Tennasserim south, to *Pak Chan*.

## TAVOY.

The accounts given to me by the Burmans relative to this province, previous to its becoming known to Europeans, are very meagre, and somewhat fanciful.

It is said, that about two thousand years ago colonies arrived from Martaban, and from the eastward; and that, long after this event, people reached it from *Arracan*, in search of iron, and settled at *Daungive*, or *Thongive*, about five miles upwards from the mouth of the Tavoy river, and on the west bank. They called the country *Dahiveh*, meaning "knife buy;" and they brought with them the Buddhist religion.

The present Tavoyers affirm that this town was destroyed by preternatural agency, and that still, at times, and in the dead of night, are to be heard sounds made by the spirits of the former inhabitants, as if engaged in the several occupations they followed when in life. Another colony settled at *Kalíngdon*, about fifty miles above the present town. When visited by me in 1825, there was no appearance of a town of any note having stood there. The only indication of

such having existed somewhere in this direction, is the small pagoda which crowns a neighbouring hill, and the ruins of a large one, a mile and a half to the eastward of this place. But every remarkable hill almost has a pagoda on its top or side. When the town of Tavoy was built, the natives could not have been under much apprehension from the quarter of Siam; else they would have built it on the west bank of the river, where the ground is higher and more defensible.

The intermixture of various tribes with the aborigines, or with colonies derived from distant places, together with the change produced by subjection to Siamese and Burmans by turns, and finally to the latter, may be supposed to have obliterated any decided individuality of form, feature, or character, possessed by the first holders of the country.

The English recognised this province as an independent one in 1753; but we have no exact account of their appearance, or of the manners of the natives at that time.

The Burmans under CHEDÚKAMANÍ and MAHA NORATHA conquered Tavoy, and dispossessed the independent chief who governed it in 1766; and DEBADIE attacked the Siamese, and invested their capital in this year. In 1767, Ava was attacked by the Chinese. In 1793, the Burman governor, NAMEA PYÚ, or MAUNMEA PYÚ, turned traitor, and delivered the Tavoy province into the hands of the Siamese; but it was soon retaken by the Burmans. The Siamese, however, contrived to carry off five thousand of the inhabitants during their occupancy of the territory.

Shortly previous to the subjection of it to the British, it was disturbed by the inroads of a bold Siamese chief, called NHAMBH, who carried off crowds of prisoners to Siam; but he was at length, through the treachery of his young mistress, a Peguer, surprised in a dark night by a body of Tavoyers, led by a man named MA-AUMDA, a native of the town, and secretary to the *Myáwún*. His party was dispersed, and he was taken prisoner. The Burmans shut him up in an iron cage, and sent him to Rangoon, where his death by cholera saved him, probably, from a more cruel end. This MA-AUMDA was rewarded with a thousand *ticals* of silver and honorary dresses, and he was made third in council at Tavoy; yet it was he who, when the British force was approaching the fort by the river, seized the governor, or *Myáwún*, and delivered up the place without firing a shot from the walls.

The governor was sent to Bengal, and his three wives and family

to Rangoon. They were there in great poverty, as it is probable that their property had been plundered for some time. At their earnest request, I gave them a free passage back to Tavoy, on my return to that place, for which they appeared very grateful. The first of these, and the real head of the family, is a very clever person; and, like women of her rank in Ava, is reported to have shared pretty equally with her husband in the toils of government. When on board, she was unwell with rheumatism; and to cure it, employed the means generally resorted to on all occasions of illness by the natives of these countries, *shampooing*, which was performed by one of her slaves trampling with bare feet over her body.

## YÉ, OR KOLA YE.

The traditional account of this province is very short. The natives say, that in the ninety-third year of their era, which corresponds with A.D. 731, a certain princess, called MARA DEVÍ,<sup>1</sup> a daughter of the King of Tavoy, formed the first establishment. In the year 800 of their era (A.D. 1438), NARATHA JEDÍ MÉN, prince of Tavoy, improved the town and stockaded it; the latter operation having occupied five months and seven days. This town then got the name of *Raja Siha dyera pura*.

## MARTABAN.

My endeavours, while in this province, were ineffectual in bringing to light any credible or even plausible account of its earliest state. No buildings are extant of a more ancient date than that of the introduction of the religion of BUDDHA, since those actually existing are evidently the offspring of the latter; and the assumption by Burman *Phúngies*, or priests, of all the sacerdotal offices in the province, sufficiently accounts for no Peguan records having been preserved:—none, at least, to my knowledge, have been discovered.

<sup>1</sup> The occurrence of Sanskrit terms sufficiently indicates that Buddhism had been introduced at this period.

## CHAPTER II.

TOWNS, POPULATION, DRESS, APPEARANCE, MANNERS, AND CUSTOMS  
OF THE PEOPLE.

## TANNAU AND MERGUI.

WHEN the stockaded town of Mergui was taken, after a short resistance, in 1824, the population was concentrated in and near it. The inroads of the Siamese had driven them from the interior, and the war had called forth the aid of every man capable of bearing arms. It was believed that, taking advantage of the alarm of the Merguiers, the Siamese had carried off about one thousand persons into slavery. The greatest number it is supposed of these were afterwards sent back, agreeably to a treaty with the British; but the Siamese subsequently supplied their place by drawing extensively on the Malayan population of the *Keddah* territory, which they were equally bound, by the same treaty, to protect.

At the period alluded to, this province contained a population nearly as follows, computed according to the number of houses :—

	Houses.
Mergui Town, divided into six compartments .....	1200
Six villages.....	300
Straggling hamlets .....	100
Total houses .....	1600
	Souls.
Total averaged lay population .....	8000
Add priests in monasteries .....	200
Total .....	8200
Averaging about five inhabitants to every house.	

In this population there were about three hundred Chinese, two hundred half-Portuguese, a few other native Christians, and a few Siamese; the body being composed of Burmans and Peguers. The population may have since increased in a small degree.

The people are chiefly employed in agriculture and in petty traffic. Their manufactures are very inferior to those of Tavoy, and their mechanics are not very expert; they can, however, construct a good-sized vessel, with the assistance of experienced superintendents from Rangoon or elsewhere. The women weave plain and checkered clothes; some of silk, others of silk and cotton mixed: these are reckoned durable.

The people in general are disposed to a peaceable life. They used to live in constant dread of the Siamese; and it was said that the governor could not muster more than three hundred men on whom he could depend, to defend the town when it was attacked by our troops. Their hopes of peace and security against Siamese inroad probably rested on the occupation of the place by an enemy of whose lenity they might have been aware. The personal appearance of the natives is much the same as that of the Burmans. Except when they go abroad, and even then, the dress of the men consists merely of a loose silk or cotton habiliment descending from the waist, and tucked up from the height of the knee, and a turban formed of a coloured handkerchief. The women follow the Burman fashion.

The established law is that prevalent in Ava, but it yields occasionally to local customs. The people are strict Buddhists. They live on rice, fish, venison, pork, and, in general, on the flesh of almost every sort of animal and reptile; but they seldom use beef or poultry, and do not make butter. The milk of their buffaloes, too, although rich and nutritious, is not a common article of diet. Goats are scarce, and there are no sheep. It was not without difficulty that a sufficient supply of provisions was obtained for the European officers and men on their first arrival. Fine fish was, however, daily supplied; and the calf of the buffalo became a tolerable substitute for veal. Wheaten bread, like several other European luxuries, was not procured until Indian and Chinese bakers arrived. The usual tropical fruits, including the mangosteen and dorian, thrive here, but are not very abundant.

It is not to be expected that in this country, so thinly peopled in proportion to its extent and fertility, the price of labour should be low; it may, generally viewed, be thought high: the fourth part of a Spanish dollar a day may be stated as the average rate, when first occupied by us; perhaps six dollars a month may be the present average rate. But a Burman, unless stimulated by having a personal interest in the quantity of work to be done, is indolent, and requires to be constantly watched.

The natives of Mergui are fond of dancing, music, and song; and are well supplied with materials for theatrical exhibitions from the never-failing theme of SRI RAMA'S adventures. They are much attached to puppets. They sing in a strained voice, like the Chinese.

Women are on the whole well treated, and placed nearly on a footing of equality with the men; and they are but rarely subjected to chastisement by their husbands,—an exemption which the Hindústani female does not enjoy. They are also allowed a sufficient

share of personal freedom, and not unfrequently "wear the turban;" but when they do so, it is generally for the pecuniary advantage of the indolent hen-pecked husband, who wants the energy required to look after his household and other affairs. Although a marriage too frequently assumes the features of a sale, yet, as far as could be learned, the inclinations of the woman are seldom forced.

The Kareans have not been noticed in the table of population of the province, since their roving habits prevented any precise account of them being given to me; a short description of the wild tribes, and also of the more civilised, but secluded ones, which are to be found in the woody or mountainous parts of the Indo-Chinese regions, together with collated specimens of their languages, might prove instructive.

#### MERGUI AND TANNAU. — MERGUI.

The town of Mergui has been built on the sides and along the skirts of an irregular hill, which is not perhaps more than two hundred feet in height: the position is strong against a native force, but feeble in presence of a European one, since it is accessible to ships, and may be commanded from a high island in front.

But were this latter point fortified, and the town works improved, it might probably admit of a good defence: on the west and south-west is the river; and in the latter direction there is a muddy creek, and much difficult ground, rendering an approach barely practicable. On the east and south-east is a rice swamp; and on the north, the works surmount and command a sloping bank, which is however accessible; a deep dry fosse has been carried along those parts not naturally defended: the whole place was, when taken, inclosed by a stockade of thick beams and sections of whole trees about ten feet high, and there was a battery on the brow of the hill facing the river.

The streets of the town are wide, and would be much dirtier than they then seemed, were it not for the occasional cleansing they get from the rain-water, which runs in small rapid currents down the ravines and declivities along the hill: they are also badly paved, and where they have been made on a slope, are little better than gutters in the rainy season. The houses are composed for the most part of the perishable materials used on this coast, such as wooden posts inserted in the ground, light wooden rafters, bamboos, hipah palm-leaves, and matting: they are much inferior in neatness and convenience to the Tavoy ones. Several small but pleasant houses have been constructed on the ridge of the hill by European gentlemen residing there. Before this was effected, they were obliged either to occupy the

crazy Burman houses, or the dilapidated Kyauns on the same ridge. The chief entrance to the town is on the river side, through a mean brick gateway, but not arched; it had several other wooden gateways, and at one of these, on the north face of the stockade, the British troops stormed. With the exception of a few small pagodas on the hill, and on the eminences beyond the northern gate, and the bastions at the principal angles of the works, there are no brick or stone buildings in the place: the bricks of this coast are reckoned durable, but they are seldom put together with mortar; clay is most commonly used. The small sort cost, at Tavoy, about thirty-five ticals for 10,000; the larger kind, being thirteen inches long, six broad, and three in thickness, cost about fifty ticals for the same number (a *Burman lac*). The roofing tile is quite flat, about eight inches long and five broad; it is often put on the roof of a building without any cement.

On the whole, the situation of Mergui is peculiarly happy, whether it be viewed with reference to the mildness and salubrity of its climate,<sup>1</sup> the productiveness of the soil, or to the safe and agreeable shelter its harbour affords to ships during the violence of the south-west monsoon: it is cooled by sea breezes during the day, and by land winds at night. What is termed in India a *land-wind*, which is often injurious to health, is quite unknown on this coast, or in any of the provinces under review; but it may with truth be said, that these advantages are possessed by many other situations on the same coast, and by several of the islands. In the absence of some other station in this quarter which might give shelter to British shipping, and from which, in times of war, an enemy could be watched and prevented from gaining supplies, or could be attacked with advantage, the position of Mergui must be deemed rather an important one—and thus, perhaps, its value, in a political point of view, may counter-balance the inconveniences which attend the retaining a country so thinly inhabited, and therefore containing within itself few facilities for the improvement of its own resources. It is to be regretted that Junkceylon and St. Matthew's Island had not been in the possession of Ava when the war broke out; with the first (which would have soon fallen) as a permanent station, and the second as an outpost, every political object might have been easily and cheaply attained.

The Siamese have greatly neglected Junkceylon of late years, owing either to the difficulty of drawing to it an adequate population,

<sup>1</sup> Europeans were sent here from Rangoon, during the war, for the recovery of their health.

or from some other cause. They would certainly have taken possession of Mergui, or have tried to do so, had the British abandoned it; but whether they now covet it, as formerly, does not appear. They may possibly dread a renewal, to their disadvantage in the main, of the cruel wars which endured so long betwixt them and the Burmans. The Siamese and Tannau people are bitter enemies of each other, and therefore there is not much probability of their ever uniting against the present rulers of the province.

## TAVOY.

The chief town of Tavoy is situated on the eastern bank of the river; it consists of two parts,—the inner town, which is surrounded by a wall about fifteen feet high, mostly built of brick, and the outer one also hemmed in by a wall of brick and mud, but only about eight feet high, and much decayed: the inner wall has now in part been reduced to the height of eight feet. The whole place forms an irregular square, contracted on the east side; it is not very defensible, and is commanded by heights on the east; it contained about 1400 houses in 1824; these are much more substantial and comfortable than the Mergui houses. The streets were badly paved with bricks laid edgewise, but they have since been improved.

In 1824–25, a table of the population of this province was made out by me partly from Burman rolls, but chiefly from actual personal observation; on these rolls much reliance could not be placed, but they served as general guides. Burmans and Peguers form the chief body of the people, and the remainder consists of Chinese, native Christians, and other settlers. The British troops have been excluded from this enumeration. At the period alluded to, the population seemed to rest thus:—

	Houses.	Souls.
1. Tavoy town and suburbs, divided into eighteen compartments .....	1400	7000
2. One hundred and ten villages, some scattered hamlets and monasteries .....	1800	9000
Kareans not included .....	1800	—
Total native population ....		<u>16000</u>

This number has since increased to about 23,600 souls, exclusive of Kareans and Chalome of the islands. The present fixed population stands nearly thus:—

Tavoyers .....	22,200
Peguers .....	2,100
Chinese .....	300
Kareans and Chalome .....	1,850
	<hr/> 26,450
Native Christians (Portuguese) about ..	50
	<hr/>
Total ....	26,500

In the above first-stated total of 16,000 souls, there were about 4600 men capable of active employment, and in it the proportion of females exceeded that of the males by about one in fifteen: there were about 250 Phúngees or priests, and two thousand (as nearly as could be learned) *debtors*,<sup>1</sup> of both sexes and all ages. It does not appear that Tavoy at any period contained more than 30,000 souls. In 1793, when the then governor of Tavoy delivered up the place to the Siamese under their Prince Regent, the latter carried 5000 inhabitants of every description into captivity or slavery; and when *Dainvoun*, the Burmese general, attacked Junkceylon, the Tavoyers lost, it is said, nearly twice the above number. We may allow one half of the latter statement to be near the truth.

An excess of 1000 females over the number of males in the whole population is easily to be accounted for: Tavoy was long exposed to the inroads of the Siamese, who carried off the men when at a distance from their homes. The Burman conscriptive system also drew, at times, largely on the people; and, lastly, the custom sanctioned by Burman law prevalent amongst the people, of selling their services (particularly of women), or those of their children, was calculated to throw into the families of the richest classes an undue proportion of females. A stranger cannot fail, on entering the town of Tavoy, to remark the crowds of women seen in the streets: this does not, in a very manifest degree, arise from the disproportion alluded to, but is owing to the freedom women here enjoy, and which so favourably contrasts with the savage custom which immures them within the walls of an Indian harem, or domestic prison.

The condition of the debtors ostensibly originates in a contract formally entered into by the parties, and liable to be dissolved by a repayment of the sum lent; but, under the Burman sway, a person of this description was rarely found able to emancipate himself; and his debt, with all the accumulated sums and value of articles given to him and his family, descended to the latter at his death. The wife

<sup>1</sup> Persons who sell their services.

was first liable, and, on her death, the children; the husband in like manner paid the debts of his deceased wife, but the children of a debtor might sell their services during his life, and thus escape the obligation to pay his debt; unless their names had been inserted in the deed. Parents were, however, answerable for the debt of a child on his death, if contracted with their knowledge. After the place was taken, numbers of female debtors found means to emancipate themselves. The young women had little difficulty, as many formed half matrimonial connexions with the British soldiers, both European and native of all ranks. When debtors are not employed in the business of their masters they work elsewhere, paying however to the former about five pice, or the ninth part of a rupee daily.

In such a country as this is, comprising *Tannau*, *Tavoy*, and *Martaban*, including *Yé*, which is so insulated with respect to our Indian possessions as to render no two cases which affect them both parallel, where the population does not amount to four persons to every square mile, colonization might perhaps be attempted with success. Here large tracts of forest would be free to the new settlers under proper limitations, and they would soon amalgamate with the natives, and originate a new race. Here are no castes, no forbidding superstitions, and scarcely any thing like intolerance.

The women may marry foreigners, and they are well disposed to do so; while the men are indifferent on the subject, if their own private privileges are not interfered with. Although unreserved in general in their conduct, yet the women of the respectable classes rarely betray any want of chastity and decorum; they are intelligent, frank, lively, and talkative, and retort with smartness without shewing ill-nature. They are very industrious and well versed in household economy. All these qualifications supply the want of any superior degree of feminine delicacy or beauty — to which their pretensions are not so strong as those of the Hindú girls and Musalmánis of India. The women are employed in the rice fields during harvest; they beat out rice, spin thread, weave cloth (for amongst the Indo-Chinese the men are seldom weavers), retail petty goods, search for roots and esculents, mushrooms, and other edible substances, and are quick in money calculations. The women are also cooks; although every man of the lower classes, and perhaps most of those in the higher, know how to dress a meal: this is no difficult task, since rice and a little seasoning, with a boiled fish, or a piece of meat roasted over the embers, is luxury to them.

The dishes found at the tables of the rich are more numerous, and are not disagreeable to a European palate: they do not swallow such

huge heaps of rice as a native of India does at a meal, but use it sparingly like the Chinese. Their cooking utensils are of iron or of earthenware; they eat twice a-day, once early in the forenoon, and again in the evening; the meats are chopped and put into small cups and saucers, as are the vegetables and seasonings; the latter consist of balachong or caviare, nipah vinegar pickles, and acid fruits; these are served up in lacquered circular trays having high-peaked covers.

All the members of a family eat together; and if china-ware is not procurable, or they cannot afford it, each has a portion of rice served out on a lacquered plate: they help themselves generally by spoons to the other dishes, but most commonly convey the viands to the mouth with their fingers.

The provisions which may be got in the bazars on this coast are elephant's-flesh, venison, poultry, hog's-flesh, rice, Indian corn, eggs, milk, yams, and sweet potatoes, and a few esculents, fish, and articles imported from India or Penang, fruits, &c. The poorer natives will eat frogs, guanas, and other reptiles, and, most of them, animals which have died a natural death. Monkeys are also eaten; buffalo-hide, prepared in a peculiar way, is occasionally eaten; the *taun-palau*, a long white semipellucid worm which is found in decayed wood, is reckoned a delicacy, as are termes, and other kinds of ants. When invited to eat with Europeans, a well-bred Burman becomes very soon at home, for he strictly watches the actions of his guest and others at table, and imitates them so well, that he scarcely betrays any awkwardness after two or three trials. They will in general drink indifferently any liquor that is offered to them; *beer* is universally relished by most eastern people, and not least by those whose religion forbids them to taste intoxicating drinks. They prefer the strange mixture of pickled tea-leaf, with oil of sesame, onions, garlic, salt, ginger, and cocoa-nut, to the simple infusion of the dry tea-plant: the plant, at least one species of it, grows in the hilly parts of the countries bordering on the east of Ava Proper. It is always sent along with invitations to dinner or a feast: if a person who receives an invitation cannot attend, it is expected that he shall send some one to fill his place: some of the men who affect a strict adherence to Búddhist tenets will not taste wine or spirits; these have vowed abstinence from certain luxuries and indulgences, or abstain from them, either on principle, or to gain credit with the multitude; those who take sanctimonious oaths allow their beards to grow, and are sedate in their deportment; they mix, however, in society, and do not debar themselves from any reasonable pleasure.

The Peguer inhabitants eat at sunrise, and their fare scarcely

differs from that of the Burman peasantry; the Burmans reproach them with being gluttons. The natives of both sexes of these coasts are habitual smokers of tobacco: the first thing presented to a stranger, whether European or native, on his entering a house, is a *siwelit*, or *segar*; even children of three years of age may be seen whiffing with as great gravity as their seniors; the chief men use finely polished wooden pipes mounted in silver, with silver bowls.

The climate of Tavoy is not so cool as that of Mergui and Martaban; it is shut out from the sea by a low range of hills, and lies on a plain. In the dry season it is subject to fogs, and the variation of the temperature within twenty-four hours often amounts to 30 degrees of Fahrenheit. In the Jungly parts of the country the temperature, during the hot season, has been observed by me to be so low, at six A.M., as 64° of the same scale, and at four P.M., so high as 90°: on the whole, however, the dry part of the year is agreeable; but the rainy season is very unpleasant and generally unhealthy. The whole flat country is then a sheet of water; in which are seen the villages, like islands, scattered about.

YÉ.

The town of this name is romantically built on a long hill about one hundred feet in elevation: the Yé river washes the south side of the rising ground; on the north and west the place is protected by a tank and broken ground, and on the east are old ditches, and swamps beyond them; a stockade hems in the town, but it was, in 1825, scarcely twelve feet high in any part. The place is capable of being rendered strong; it did not hold out or offer resistance when Captain O'Reilly was sent to take it in 1824, probably owing to the flight of the chief to Bassein, after Martaban had fallen. The town then consisted of only 150 houses, and wore the aspect of decay: they reckoned but twelve hundred souls for the whole population of the district, and those chiefly Peguers. The Burmans allege that it used to be a place of refuge for thieves and outlaws. Since the place was occupied by the British, the inhabitants have been orderly and peaceably inclined; provisions were so scarce, that my departure from it was hastened by the apprehension that my party would consume all the spare supplies of the inhabitants.

The tank behind the stockade was covered with wild ducks of a larger size than the common duck, and speckled with white on a dark ground; whistling teal were also abundant; so that a pleasant change of food was procured: no vegetables were seen in the bazár, if a few wretched stalls might have deserved the name. The Siamese used to make inroads on this small province to carry off the people,

which accounts for the dilapidated appearance of the town. At the period alluded to, one of the former Burman chiefs was in charge of the place, but no troops were left with him : he paid me a visit in full uniform, which consisted of a British staff dress given to him by Colonel Miles, when he was appointed to his command by that officer ; a sorry band of musicians accompanied him, of whom he seemed half ashamed, and apologised for their mean appearance, by saying that the country had been nearly depopulated by wars. He sat down to table, and partook of tea, and afterwards of brandy and wine, and left me in a very happy state of exhilaration.

#### MARTABAN,

The chief Burman town of this province. It is situated on the north bank of the *San-lún* river, at the point where it separates into two branches ; it has been built at the foot of a long hill ; this ridge is very steep, and perhaps about 200 feet in height ; it forms part of the *Jenkyait* range. There are two principal streets, one of which stretches from the wharf gate to within two hundred yards of the great northern gate, and the other is only about half the length of this one, and nearly parallel with it. These streets are stony, and, when rain falls, very miry, for the water runs through numberless small channels from the hill, and crosses the streets and roads on its way to the river : the houses in general are meanly constructed with light materials, and are raised three or four feet from the ground on posts. Many old, substantially built monasteries stand along the brow of the hill, and beyond the northern gate. Several of these were appropriated for the reception of the officers and men who garrisoned the place after it fell, and they were found very spacious, and, for this country, comfortable quarters. The Burman governor's house was a shabby, but large building of the usual light materials ; it was accidentally burned after the storming of the town.

The bazárs are held at the sides of the streets, at an early hour in the morning, and; for about two hours, in the cool part of the afternoon ; women are the only sellers. There are several pagodas scattered about, but the only one deserving of notice is situated within the battery-square, where the British troops were quartered ; it is about 150 feet high, and the design is chaster than that generally found in many other buildings dedicated to the Búddhist worship.

The whole of the top of the ridge at the foot of which the town stands, the town itself, and the south face of the ridge, have been inclosed by a stockade of strong beams, about ten feet, on an average, in height : there are many gates in this wall.

## POPULATION.

It has been already noticed, that Martaban province exhibits traces of having been once more populous than it now is. The number of souls may be rated, for the period to which this account refers, at 50,000 as a maximum, in which number are included 20,000 Kareans.

Since the British have occupied the southern portion of the province, the Peguers of the lower provinces of Ava (Pegu Proper) have sent forth large parties to seek protection from Burman vengeance or misrule, under the milder influence of the new masters of this part of the coast; and increased the scanty population, as far as my information extends, on the south of the *San-lún*, to about 50,000 souls of all classes, or as follows:—

Burmans and Peguers.....	48,000
Kareans and other scattered races, and Chinese, &c.....	2,000
Total.....	50,000

DRESS, MANNERS, AND CUSTOMS, OF THE INHABITANTS OF  
TANNAU AND MERGUI.

The natives of these provinces, of all classes, are fond of rich and expensive dresses, and generally spend all their surplus money on them. Natives of Hindústán, on the other hand, will go in a state little short of absolute nudity, while they adorn their necks, ears, and fingers, with valuable gold ornaments and jewels. In this respect the latter most resemble the Siamese, who generally appear to consider the wearing of clothes higher up than the waist as an encumbrance to their motion.

The Burman jewellery is of a rather inferior description, even as an Eastern manufacture. The stones, if cut at all, are very imperfectly finished, and the setting shews little taste or skill in the workmen; they can, however, make gold and silver chains, and boxes of tolerable appearance; but these are not to be compared to Indian or Chinese articles of a similar sort, or even to those of Malayan workmanship.

The women, generally considered, in this country use very few superfluous ornaments. They rest satisfied with some rings, set with cats-eyes and rubies. Enjoying as they do a great share of personal freedom, they could not perform the duties assigned to them if manacled with ear and nose rings of unwieldy size, necklaces, heavy bracelets and waist-belts, anklets and toe rings, like the women of India.

Perhaps, however, it will be found that the husbands of the economical Burman dames are not quite so fully exempted as might be supposed, from the above account, from the domestic tax of pin-money. Silk is the fashionable cloth, from the king downwards to the cultivator, and is always worn by the women when they can get it. Fine cottons and muslins are also much in request.

The use of silk is not in this climate conducive to cleanly habits; for although a Burman is sufficiently attentive to ablutions, yet he does not consider it always requisite to give his clothes the benefit of them too; and, if in poverty, will, like the lowest class of Malays, often allow his garment to drop by tatters from off his body. The Karean cloth is worn by the lower orders, on account of its durability and warmth. It is commonly very narrow, seldom exceeding a foot in breadth.

The Mons, or Peguers, have in a great measure adopted the Burman costume, which is rather elegant for the men, but indecorous, in European eyes, for the women, since the leg is exposed in walking even above the knee. Burmans dress occasionally in large turbans; but the true national head-dress is a handkerchief twisted into a knot with the hair, and brought to a point above the forehead. Their hair is generally cropped, with the exception of a spot on the crown of the head; from this a long tail depends, which is rather inconvenient in action with an enemy. When the women dress themselves out for conquest, they sometimes wear small turbans too; and these give them a very coquettish air.

In the rains, the men use enormous umbrella-hats<sup>1</sup> of basket or rush work: some of these are four feet five inches in diameter. They are very light, and require some management when the wind is high.

Officers of rank wear leather caps, either gilded or lackered: the former resemble the caps of fire-engine men. Inferior officers have black varnished leather ones. All ranks except priests wear shoes or sandals made either of wood or leather, with cloth straps. These are pulled off on entering a house of respectability. Priests have no cloth on their sandals, such being reckoned too gay.

The Tennasserim people, with the exception of some of the Karean tribes, who have only occasionally a few charms punctured in their skins, tattoo themselves like the Burmans of Ava, and the inhabitants of Loas. In this respect they widely differ from the Siamese, who consider the practice as barbarous; perhaps they have discarded it in order that they might be better distinguished from their ancient enemies the Burmans. The legs, hips, and arms, are the parts of the

<sup>1</sup> A specimen of one is in the Royal Asiatic Society's Museum.

body chiefly submitted to the operation; and this last is with these people essential to mark the period of manhood. The tattooer uses a very long gold stylus. The operation is tedious and rather painful, as several gentlemen informed me, who out of curiosity submitted to this disfigurement of their nether man. As a slight fever is produced by the irritation, the patient is ordered to live sparingly, and to attend to some superstitious observances.

The colouring matter is the lamp-black produced by burning sesame-oil under an old cooking-pot, which a priest has used in collecting his daily provisions. The lamp-black is mixed with the gall of an alligator, of a guana, or of a flying fox: the red is vermilion. When charms, to render the person invulnerable, are tattooed, the operation must take place in the *Thein*, or "place of idols." They have books containing directions for every kind of tattooing; and figures of the animals and other objects before noticed. A Burman's skin is often covered with a variety of representations of real and fabulous animals and birds, of pagodas, and other objects; and accompanied by Bali sentences of potent efficacy, in his apprehension, in averting evils of every kind. Tattooing has prevailed from the earliest ages. In Holy Writ the people are enjoined "not to print any marks on their bodies."—Leviticus, chap. xix.

The chief features of character which distinguish the Burmans from the *Mons* are these: The former are proud, vain, ambitious, and warlike, fond of the excitation created by their religious festivals and by speculative pursuits; while they would, if possible, assign over to the Peguers and Kareans the drudgery of the field. The Mons, on the other hand, are modest, simple, retired, and attached to domestic enjoyment; brave as an Indo-Chinese people, especially when goaded by oppression, but generally very submissive to authority; agriculturists by profession, attentive to the duties enjoined by the Buddhist religion, and generally temperate in their habits.

Any person who should endeavour to portray the character of either of these two people, from an observation of their political institutions merely, would be led into error. Both are fond of domestic ease, both social and hospitable, and generally fair in their dealings; but a state of war is too apt to convert them into ruthless barbarians. These institutions were framed for the benefit of the governing, not of the governed. They neither arose from, nor were they properly adapted to, the feelings of the great mass of the people. There is no cementing rank betwixt the servants of the state, who are the nobility by sufferance for the time being, and the serf who drives his buffalo, and who, were he a "village Hampden," or an incipient Buonaparte,

may raise himself to the highest dignities of the empire. The despot of to-day will crouch and lick the dust to-morrow, before the promoted slave on whom he had but just trampled. Betwixt those who have, and those who want power, there is no sympathy; and the fall of any man of rank is looked at with perfect indifference, by men who have learned by experience that Burman power is a ramified spirit, which does not alter its nature by any transmigration which it may undergo.

The natural tendency of these people is to hospitality; and they have been known to exercise this virtue towards strangers when it could not have been agreeable to their rulers.

When traversing the country, the villagers invariably pressed and vied with each other in making me welcome to what their huts afforded. The women on these occasions did not run to hide themselves, like the less virtuous yet affected Hindústani females, on the approach of a stranger, but continued their occupations, which were weaving, dying thread, spinning, &c.

Burman children are very respectful to their parents. When a youth leaves home to go on a journey or voyage, he lays his head at their feet and entreats their forgiveness for past faults, and their blessing for the future. They, in turn, kiss his cheek. By kissing is not implied the European mode of salutation, but a strong inhalation through the nose,—a custom which is deserving of notice, since it is found to be extant amongst all the Indo-Chinese nations, the Malays, the islanders of the Archipelago, and in China. A social or family trait of this nature, so prevalent and peculiar, may be considered as pointing to some remote connexion betwixt the various tribes which have adopted it.

#### BURMAN MARRIAGE.

The Burman ceremonies are observed. The parents of the youth send certain friends to ask the consent of the girl's relations. A time is fixed by her parents, and the couple are allowed to see each other frequently: but they reckon August, September, October, and November, unlucky, and do not marry during them. In these four months a priest is not allowed to become a layman. When the youth, accompanied by his friends and some elders and relatives, reaches the house of the bride, the oldest man, or elder of the village, takes two nosegays, and gives one to each, beginning with the bride. The presents by this time have been arranged before the parents. These consist generally of three trays, two containing fruit, and a

third, cloth or other articles : on a fourth tray are certain presents intended for the bride. She sits on the left of the party, and the bridegroom on the right.

The elder now gives the bride a nosegay, and makes her repeat some *Bali* sentences, first directed to her father, again to her mother, next to the parents of the bridegroom, and lastly, to her husband. The bridegroom goes through the same ceremony, beginning with his parents and relatives, but does not address the bride. The elder then takes the flower from the bride, and places it on the wall of the house ; she takes a little rolled up betel leaf, &c. and presents it to the bridegroom, who exchanges the flower for it. They then both sit on one mat, the bridegroom on the right. A feast ensues, and they finish the ceremonies by eating out of the same dish.

Marriage is here quite a civil affair, and has often too much the appearance of a bargain. The youth of both sexes are, however, allowed opportunities of choosing occasionally for themselves ; and in general it may be said that the marriage state in this country is much more favourable for the women than it is in Hindústán.

In Mergui, and even in Tavoy, the suitor is frequently expected to serve for two or three years the parents of the girl. If no marriage should ensue, they must pay back an equivalent for his service. Hardly any ceremony takes place on a marriage at Mergui.

The consent of parents is commonly obtained for the marriage of a daughter. A feast is given when the suitor proves successful ; bands of music attend ; and, where the parents of the respective parties are poor, the expenses are defrayed by them in common. An elder, or soothsayer, of the village is brought ; he joins the hands of the bride and bridegroom, who then present each other with a little boiled rice out of a platter, of which they taste or eat, to signify their future community of interests. They next promise to be faithful, and to promote each other's happiness. The elder pronounces his blessing, and the ceremony is concluded.

They do not summon a priest on this occasion ; but, as it seems to have been formerly the practice for one to attend the ceremony of marriage, as well as others now purely of a civil nature, they receive presents of cloth, fruit, confections, and other things. When the girl can be had by purchase, or contract only, which, in polite parlance, may be termed a settlement, the man pays the price either in money or goods. But this is a disreputable alliance, and can be easily dissolved. The man who repudiates his wife, thus obtained,

cannot claim any money or goods which she may then have in her possession; but if she, of her own accord, desire a separation, she leaves the house without any such, and with one suit of clothes only. Should he, after marriage, desire a separation, with or without the consent of his wife, the female children only of the marriage go with her, and she is at liberty to take her clothes, jewels, and whatever property and money she may have saved by her own industry. Should the wife alone desire a separation, she must pay to the husband double the expenses incurred by the marriage. The Burman civil law is apparently a commentary on MENU;<sup>1</sup> and, as it exists in a digested form, might easily be translated.

When a child has attained the age of seven years, its head is shaved with much formality, and an entertainment is given, as is usual on every important occasion.

The boring of the ears of the female children at the age of nine, or from that period up to twelve, is also one of rejoicing. An old astrologer next inspects the horoscope, and foretells a fortunate hour for giving the child a name. The visitors are expected to present the child with money, or something of value. On occasions of this nature, the parents have sent a present to me of a few flowers, and some betel and areca, in expectation of a more valuable return.

The Burmans and Peguers of this province *generally* burn their dead; but all persons under the age of fifteen are buried. If a woman dies in childbed, the body is burned *on the bank of a river*; hence the Tavoy women when quarrelling, exclaim, *Kyaun nă pao*: "May you be burned on a river's bank." The lower classes, however, seldom burn the body of a person who has died accidentally or suddenly, but bury it. The body of an executed criminal is exposed to birds and wild beasts: the reason for not burning the body, as above stated, was not assigned, but it was probably a superstitious one. The body of the high-priest who died at Martaban, just after its capture, was burned in the way which is described in SYMES'S *Ava*. It was placed on a pile; a wire was stretched from it to a distance, and, along this, a rocket was ignited, which set fire to the pile. So much oil and petroleum were used for this ceremony, that the ground, which was mossy, continued burning for about a week after

<sup>1</sup> Two several translations of *parts* of the Burmese code have, I understand, been made by Lient. SHERMAN, and given over to the civil authorities; and also one by Mr. BLUNDELL, of the Penang civil service. I have not been so fortunate as to see either of them.

its conclusion. The expense attending a funeral amongst the lower orders is defrayed by a collection from the friends of the deceased. The priests are not neglected on such occasions. Music is an essential accompaniment of Burman ceremonies, whether of a gay or a mournful tendency. Professed dancing-girls are not numerous: there were a few in Tavoy, but their attitudes seemed fully as much strained as those of the Indian nách-girls, and less graceful.

The people here play at chess<sup>1</sup> (*chetre*), drafts (*kya*), with eight pieces of a side, and at football,<sup>2</sup> and games of chance. The football is made of wicker, and is kicked into the air by men who stand in a circle twelve or fifteen yards in diameter. This game seems to be confined to the Chinese, the Indo-Chinese, and the Malays. They have *naban kya*, or wrestling matches, in which the Burmans display much muscular strength and no small degree of art. They also at certain festivals have their men of "*the fancy*;" and the pugilists are only allowed to go through a limited number of rounds, so that they are seldom much hurt: but in presence of the Golden Foot they fight more violently.

The Burmese fence (*thejyeit*) with sticks ten or twelve feet long, which they hold with both hands near the middle. They fight cocks with artificial spurs; but these are generally made of bone or of an alligator's tooth, or even of a human bone, if the parties are of royal extraction, and so shaped as to resemble the natural spur: and they keep in jars, apart from each other, many fish of a small species found in fresh water, for the purpose of fighting. Each party lets out a fish into a basin, and bets are laid by the owners: the fish is the *plakat* of the Siamese, who also amuse themselves by exhibiting their puny encounters. Buffalo fights are occasionally exhibited, especially after harvest. I was present at one at Tavoy, before the ex-chief, or *Myúwún*, who gave up the place, and had quite relinquished all authority. The party which accompanied him and his family, consisted of the officers of the British detachment; and it was amusing on this occasion, to those used to Indian manners, to see the chief's wife walk in, arm-in-arm with our commanding officer, and to remark the absence of all absurd shyness in the other females. The concourse of persons of both sexes amounted to several thousands. The buffaloes were baited against each other by pairs, in the middle of a circle formed by the crowd: they were directed by men on their backs, one to each. The riders dexterously evaded the horns of the

<sup>1</sup> Selhiren.

<sup>2</sup> Keyen láon.

animals, when they happened to take them in flank, by slipping off, and then mounting again; very few, however, of the buffaloes would remain after the second or third round, and, as they rushed through the crowd, many persons were severely hurt.

At the period corresponding with the Holí festival of the Hindús, the Burmans squirt water on passengers: the ladies and females in general indulge greatly in the diversion, and no doubt take this way of bringing on a conversation with some favoured swain.

Many of the games played by the children resemble those in use in Europe. *Kites* are not confined to children merely: they are cut into many fantastic shapes, and are of different colours. The boys play at a sort of marbles, only employing a flattish oval seed or fruit. Boat races are run at a stated period every year, at the breaking-up of the monsoon; and their numerous festivals, which correspond with those of the Hindús in point of time, and exhibit many traits which serve to link them with the latter, afford the people many opportunities for festivity and innocent enjoyment. They are not outrageously noisy, like Europeans and British Indians, at their festivals, and are rarely seen intoxicated or quarrelling with each other.

Burman governors assume as much of regal authority and external pomp as they safely dare to adopt. The Martaban and Tavoy governors had their musical bands, and a party of actors each: the theatre was generally a large saloon connected with the palace. That at Tavoy formed afterwards an excellent regimental mess-room.

Amongst the things exclusively appertaining to royal state, are white silk umbrellas. One of these is larger than the rest, and is the *kyein*, or state umbrella of seven tiers. The number of umbrellas is rated at seven.

#### CLIMATE.

The climate of Martaban is pleasant: it was very healthy during the war, and is believed to be so now. Out of a regiment of Sepoys, which was nine hundred strong, and stationed within the area of the great pagoda, the average number of sick men rarely exceeded twenty-five; and their European officers kept in good health. The rains begin about the latter part of May or first week in June, and continue with little intermission until September: the weather then becomes moderate. The rains cease about the end of November. The maximum temperature during the rains is about 85° Fahrenheit,

and the minimum, 70°; the average heat is about 80°, and the average cold, 78°. The cold season succeeds the rainy: the sky is then unclouded, and though the sun's rays are hot, the north-east wind, which blows regularly, renders it cool in the shade. The thermometer may be then said to range from the sixtieth to the eightieth degree, during the twenty-four hours.

The three cool months are succeeded by three hot ones; but, compared with western India, these are temperate. There are no hot winds; and, at the warmest period of the day, the greatest range seldom exceeds 90°, while the average may be stated at 86°. The minimum of temperature at sunrise in wooded spots may be given at 60°, and the average at 70°. Cool sea breezes blow regularly during the day, when not checked by wind from any other quarter.

It only remains to be observed generally, that Martaban has disadvantages attending its situation to weigh against its resources and capabilities. The advantages it enjoys are chiefly these:—It lies open to the sea, and maintains a mercantile intercourse with neighbouring ports, and the interior regions; its climate is salubrious and agreeable; its numerous rivers offer every facility for the transport of goods; grain and cattle in it are cheap; its hills and forests yield valuable products; its inhabitants are, for an Eastern people, on the whole industrious, and free from the tyranny of caste, and from bigotry; and it offers a wide field for agricultural improvement and the advance of the arts.

On the other hand, the population of the province is but scanty. It lies exposed along the line of its eastern frontier to the predatory expeditions of the Siamese, who had ruined one half of it before the British established themselves at Amherst. It is also chiefly peopled by the Mon or Pegu race, who have not yet quite lost all recollection of the former independent condition of their country, and would readily make common cause with any people against the Burmans, could they be assured of not afterwards reverting to the rule of the latter.

Martaban has not, besides, any perfectly safe harbour for shipping outside of the bar of the *San-lún* river; and the entrance to the harbour, within the bar, is, to say the least of it, inconvenient, if not dangerous at many times, for ships attempting to pass it; and although the revenues of the *whole* province might, under wise management, meet, or even considerably exceed, every item of public expenditure, yet it remains to be shewn, whether the worst half, which has fallen to be the share of the British, will realise any such expectation with respect

to it, especially should any unlucky events call for an additional support to it of troops. Its position on the Burman frontier will always render it prudent to keep up a respectable force for its protection. In common justice the Siamese ought to contribute to its defence, since the interposition of the British territory betwixt them and their ancient foe affords them a degree of security in this quarter, to which they were ever strangers; and relieves them from the expense of keeping an army on their own frontier.

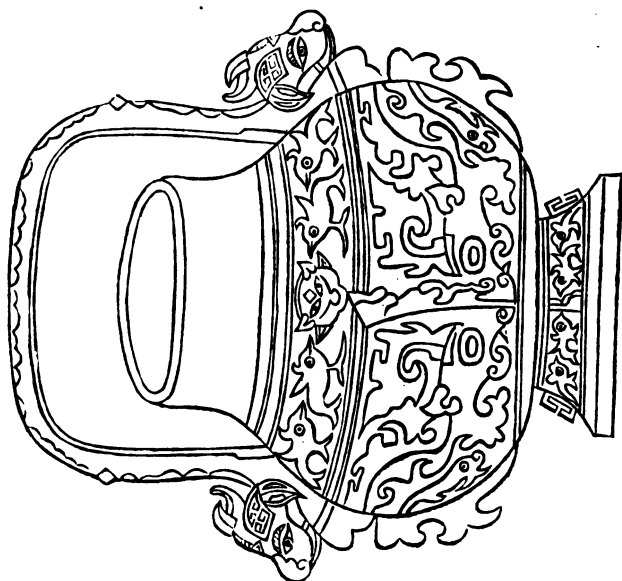
[*To be continued.*]

ART. XV.—*Description of Ancient Chinese Vases ; with Inscriptions illustrative of the History of the Shang Dynasty of Chinese Sovereigns, who reigned from about 1756 to 1112 B.C. Translated from the Original Work, entitled Pö-hoo-too, by PETER PERRING THOMS, Esq.*

(Concluded from page 171).

THE YEW VESSELS, FOR CONTAINING WINE, CONSIDERED INFERIOR TO THE TSUN AND E VESSELS.

I.



THE vessel on the opposite page, including the cover, measured in height, twelve Chinese inches and four-tenths; its containing depth, seven inches and five-tenths; the length of the neck, four inches and eight-tenths; that of the body, eight inches and six-tenths; and the circumference, seven inches and two-tenths. It weighed nine Chinese pounds and twelve ounces. The inscription, which was engraved on the cover, and on the vessel, is, by the moderns written 孫作祖乙

寶尊彝 *Sun, tsö tsou yih paou tsun e*, "The descendants make this beautiful or valuable vessel in veneration of their ancestor Tsoo-yih." From the form of the first ancient character, a hand grasping a missile weapon, this vessel has been denominated the *Che-taou*, or grasping a missile vase. The emperor Tsoo-yih reigned 1496 B.C., and was the son of Ho-TAN-KEÄ; who, owing to great inundations, removed his court to Ho-chung-foo, in Honan province. The compiler here remarks, that the ancient forms of *Sun* almost invariably represent it as grasping a weapon; and that its meaning should then be restricted to that of a son, not grandson. It is also stated, that their ancient emperors, to encourage agriculture, set their subjects an example by annually taking hold of the plough. When sacrificing, the monarch was required to take hold of the 禾 *He*

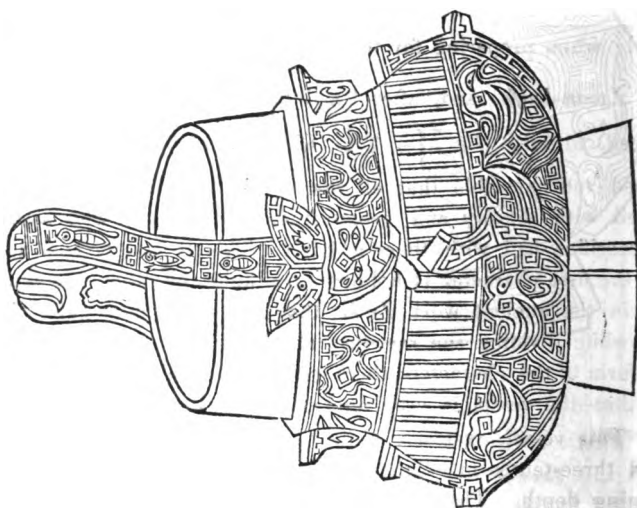
vessel; when preparing for the sacred feast, to take hold of the 簠

刀 *Lwan-knife*; and, after feasting, when the sacred dance commenced, to raise the 干戚 *Kan-tsüh* banner, for it was considered indispensable that all the rites of sacrifice should be performed with dignity and promptitude; hence, all who assisted at the sacrifice had with them a knife. This is assigned as a reason why the first character is holding up a knife, or other weapon. It is said in the ancient work *Le-ke*, that the "usages require that the arm, while dividing the sacrifice, should be bared." From the relief and form of the characters, there can be no doubt, say the compilers, but that the vessel is very ancient, and was the first of this kind of vessels.

II.



孫父癸



This vessel, including the cover, measured in height, eleven Chinese inches and six-tenths ; its containing depth was seven inches and five-tenths ; its circumference, at the neck, four inches and four-

tenths, and, at the centre, seven inches and three-tenths. It held about three English quarts, and weighed fifteen Chinese pounds and six ounces. In the relief, it is said, may be traced the form of the fabulous birds Hwang and Fung, which are frequently spoken of in this and the preceding dynasty. Their appearance indicated great national prosperity; and the vessel is supposed to have been used on occasions of national rejoicings, particularly as this device was frequently employed for similar purposes during the Chow dynasty.

III.



作孫  
彝祖  
寶尊辛

This vessel, exclusive of its cover, measured nine Chinese inches and three-tenths in height; and seven inches and five-tenths, in containing depth. The circumference, at the neck, was four inches and five-tenths, and at the centre, seven inches and one-tenth: from the neck downwards, it was eight inches. It was capable of containing about three English quarts, but weighed only thirteen Chinese ounces. The first character of the inscription is 孫 *Sun*, grasping a staff with

the right hand, and a kind of pronged halbert with the left. The import of the other characters is, "Tsoo-tsín made, or caused to be made, this sacred vessel." The fourteenth emperor of the *Chow* dynasty was called 祖辛 Tsoo-tsín (about 1480 B.C.), and his brother 沃甲 Yŭh-keä. They were sons of the Emperor 祖乙 Tsoo-yĭh, and the latter was father to 祖丁 Tsoo-ting. From the form of the first character, it is presumed that the vessel was used at military feasts.

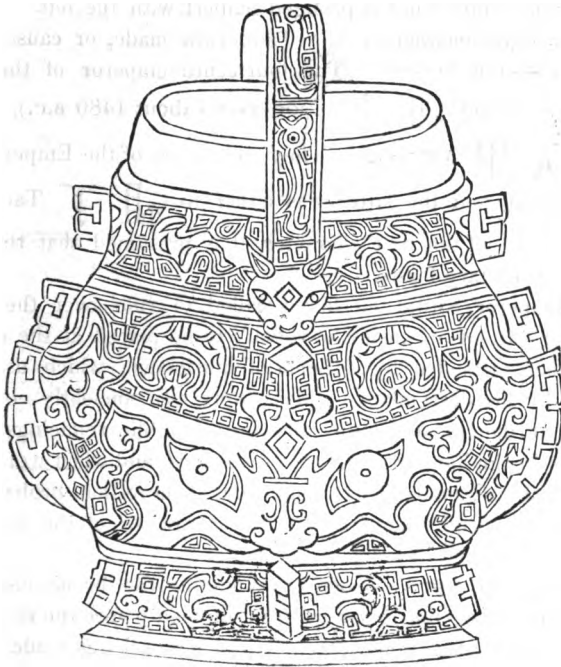
The Emperor SHUN, on being called to rule over the empire (2160 B.C.), caused an ensign of royalty to be placed at the entrance of his palace, attended by a band of musicians; which usage was continued by his descendants. Flags were also anciently considered necessary at dances, and especially on all public rejoicings. They were borne in the hand in religious processions, and when worshipping at different altars; hence it has been thought more than probable, that the staff in the right hand of the first character of the inscription should be understood as being a flag-staff.

On Tsoo-yĭh, SHUN's successor, ascending the throne, commotion generally prevailed; but it was happily subdued before the close of his reign. It is therefore conjectured that this vessel was made in commemoration of his mild government.

## IV.

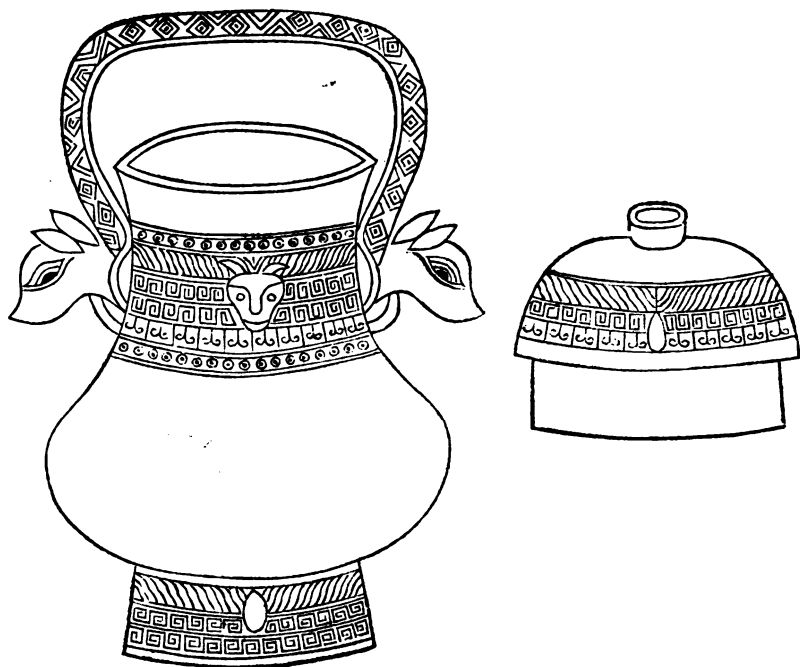


兕



This vessel, with its cover on the opposite page, measured in height, thirteen Chinese inches; its containing depth was six inches and four-tenths; its circumference at the neck three inches, and round the centre seven inches; it weighed ten Chinese pounds and seven ounces; it had two ears and an arched handle. The vessel and cover had each the hieroglyphic representation of a *rhinoceros*. There is a passage in the *Lun-yu*, which says, "That a tiger and a rhinoceros, on escaping from confinement, are known not to be docile animals, but destroyers of mankind." The ancients, at an early period, used a cup made of the horn of a rhinoceros to drink out of, as a forfeit or punishment. The She-king, in denouncing the crimes of one of the ancient ministers, says, "Give him (the transgressor) a rhinoceros' cup!" It is presumed, from the vessel having the above inscription, that it was intended to be admonitory, which seems confirmed by its having the *Haou-t'een* device both on the handle and body of the vessel, which has already been explained. On the cover two heads of an animal may be traced, and one also on the handle, which are said to be heads of rhinoceroses.

V.



丁子王錫爵丙甲  
貝左塞用作兄癸  
彝十九夕惟  
王九祀世昌高



This vessel, including the cover, measured in height, seven Chinese inches and three-tenths; its containing depth was five inches and three-tenths; its circumference at the neck, two inches and one-tenth and round the centre four inches; it weighed two Chinese pounds and,

twelve ounces, and had two ears and a handle. The last character of the inscription is not understood, though supposed to mean *Kaou*, "high, lofty." The inscription reads thus :—"The king, TING-TSZE, on Ping-keā day, gave this valuable vessel to be used when worshipping his brother's manes, on the nineteenth evening of the month, being the ninth year of his reign. May he experience ages of felicity!"

It is not known to whom this inscription alludes. The sovereigns of the *Hea* and *Chow* dynasties were styled Wang, or *kings*; while those of the dynasty of which we are treating did not make use of any title, but blending some assumed name with the name of the day on which they ascended the throne, it became their designation. *Sze*, "a year," the last character but three, affords good data to calculate on as to the period when the vessel was made, for, during the time of the ancient worthies YAOU and SHUN, the year was expressed by 載 *Tsae*; during the *Hea* dynasty by 歲 *Suy*; and the *Shang* dynasty by 祀 *Sze*; hence, from their mode of writing the word *year*, little doubt can be entertained but that this vessel belonged to the *Shang* dynasty, for the *Chow* sovereigns (the following dynasty) adopted 年 *Nēen* for the year, which has been continued to the present day.

VI.



三  
矢  
貝  
父  
辛






This vessel, including its cover on the preceding page, measured in height, ten Chinese inches ; its containing depth seven inches and five-tenths ; the circumference of its neck three inches and five-tenths ; its breadth two inches and six-tenths ; the length of the body six inches and seven-tenths ; its circumference five inches and four-tenths. It contained two quarts, and weighed seven Chinese pounds and five ounces ; it had two ears and a handle, with the above inscription on the vessel and cover. The first character is formed of three arrows stuck in a kind of stand, the other three are *Pei foo sin*. The *Shoo-king* records the sovereign of *Ping* making Duke WĀN, of the state *Tsin*, a present of a vessel for containing fragrant wine, a bow, and one hundred arrows, made of the *Tung* wood ; also a bow made of the *Lew* wood, with one hundred arrows, which kind of arrows were highly esteemed in those days. The first character, therefore, is thought to be hieroglyphical of the three presents. The vessel is stated to have been preserved by the family in remembrance of the munificence of the prince who bestowed it.

## VII.



This vessel measured in height, eight Chinese inches; its containing depth was four inches and nine-tenths; its circumference, at the neck, four inches and three-tenths; and round the centre, seven inches. It weighed five Chinese pounds and nine ounces. At each side was attached a drop, which answered the purpose of a handle, having the ancient character  *T'een*, "field, or land," on it. The device is considered ingenious and chaste, and is much admired by the moderns. It is supposed that this vessel, the only one of the pattern which appears to have been preserved, was set apart for presenting thank-offerings for an abundant crop.

## VIII.



孫  
父  
癸

This vessel measured in height seven Chinese inches and eight-tenths; its containing depth six inches and seven-tenths; its circumference at the mouth four inches and five-tenths; round the centre seven inches and six-tenths. It weighed eight Chinese pounds and four ounces, having the above inscription. The first character represents a person brandishing a lance or spear in each hand. Spears were anciently, and are now, carried in religious processions, and form a part of the furniture of the temple. In antiquity, both civil and military officers of government, as well as the people, were required to be expert in the use of the spear; as from among those who excelled in this exercise, it is said, kings were chosen, and by it they possessed themselves of the empire. It is recorded, that in honour of the spear, a piece of sacred music was composed for the use of the temple, and that this vessel, which is supposed to have contained sweet wine, was used on such occasions. The same authority remarks, that *Kwei*, the last character of the inscription, signifies 報 *Paou*, "to recompense;" and that as CHING-T'ANG, the founder of this dynasty, acquired the empire by the spear, his son had this vessel made in honour of him.

During the ancient reigns of WHANG-TE, YAOU, and SHUN, there were the two pieces of national music called *Wăn* and *Woo*, which, when played, were accompanied by a certain display of the spear, similar to what the first character of the inscription indicates. To this account of ancient music are added the names of several other pieces that were composed in honour of the Emperors WHANG-TE, YAOU, and SHUN, &c. of which little more is now known than their names.

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While the preceding paper introduces the reader to an acquaintance with the ancient rites, sacrifices, and usages of the Chinese, during the early period of their history, it cannot have escaped his notice, that the embellishments of the vessels, if not elegant, are always chaste, and the inscriptions frequently significant. It shews, also, that worship and sacrifice were not only offered to the Heavens and to the Earth, the two great powers from which, they say, all things proceed, but also to the gods of the soil, of grain, &c. The founder of the *Shang* dynasty is, however, represented as appealing to SHANG-TĒEN, the Supreme Ruler, for the justice of his motives, and as acting for Him in exterminating the wicked KĒĒ-WANG and his adherents. Previous to the *Shang* dynasty, worship was offered to the gods of the woods and rivers, and to the spirits of the departed, by their immediate descendants, as well as to evil spirits, a custom which exists to the present day. During the *Chow* dynasty offerings were more general; for there are many vessels designed for purposes different from those which we have described. Regretting, as we must, the ignorance of the Chinese as to the true God, it is yet pleasing to see, in the midst of great darkness, the happy effects of the correct principle of *filial duty*, or reverence for parents, respect for the elders of the same family, and for those who hold important situations. This principle, or doctrine, seems to have been held by FŪH-HE, and his immediate descendants, but was made by CONFUCIUS, to be, as they say, a *blessing to ten thousand ages*. We, therefore, need not wonder that so many vessels should have had the character *Tsze*, a "son," and *Sun*, a "grandson," engraved on them.

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ART. XVI.—*Quotations in Proof of his Sketch of Buddhism, by*  
 BRIAN HOUGHTON HODGSON, Esq. M.R.A.S. &c. &c. *Resident*  
*at Kat'hmandú, in Nepál.*

*Preface.*

SEVERAL distinguished Orientalists having, whilst they applauded the novelty and importance of the information conveyed by the Sketch of Buddhism, called upon me for proofs, I have been induced to prepare for publication the following translation of significant passages from the ancient books of the Saugatas, which are still extant in Nepál in the original Sanskrit. These extracts were made for me (whilst I was collecting<sup>2</sup> the works in question) some years ago by AMRITA NANDA BANDYA, the most learned Buddhist then, or now, living in this country; they formed the materials from which chiefly I drew my sketch, and they would have been long since communicated to the public had the translator felt sufficiently confident of his powers, or sufficiently assured that enlightened Europeans could be brought to tolerate the *rudis indigestaque moles* of these original authorities, which, however, in the present instance, are original in a far higher and better sense than those of CSOMA DE KÖRÖS, or of UPHAM.

Without stopping to question whether the sages who founded the Buddha system of philosophy and religion, used Sanskrit or high Prákrit, or both, or seeking to determine the consequent pretension of Mr. UPHAM's authorities to be considered original, it may be safely said that those of M. DE KÖRÖS can support no claims of the kind. The native works on which the latter gentleman relies are avowedly Tibetan translations of my Sanskrit originals; and whoever will duly reflect upon the dark and profound abstractions, and the infinitely multiplied and microscopically distinguished personifications of Buddhism, may well doubt, whether the language of Tibet does or can adequately sustain the weight that has been laid upon it.

Sanskrit, like its cognate Greek, may be characterised as a speech

<sup>1</sup> See Quarto Transactions, R. A. S. vol. ii. page 222.

<sup>2</sup> The collection in question consists of some sixty large vols., in Sanskrit, which were procured in Nepál, and the very names of which had previously been unknown; and of nearly 250 volumes (including duplicates) in the Tibetan language, which were obtained from Lassa and Digarchí. But for the existence of the latter at Calcutta, Mr. DE KÖRÖS's attainments in the Bhoteah tongue had been comparatively useless. I shall be happy to provide copies of the above works for any learned body which may be desirous to possess them. The former, or Sanskrit books preserved in Nepál, are the sole authorities relied on in this paper.

“capable of giving a soul to the objects of sense, and a body to the abstractions of metaphysics.” But as the Tibetan language can have no pretensions to a like power, those who know that the Saugatas taxed the whole powers of the Sanskrit to embody their system in words, will cautiously reserve, I apprehend, for the Buddha books still extant in the sacred language of India, the title of original authorities.

From such works, which, though now found in Nepál, were composed in the plains of India before the dispersion of the sect, I have drawn the accompanying extracts; and though the merits of the “doing into English” may be small indeed, they will yet, I hope, be borne up by the paramount and (as I suspect) unique testimony and originality of my “original authorities”—a phrase which, by the way, has been somewhat invidiously, as well as laxly, used and applied in certain quarters.

It is still, I observe, questioned amongst us whether Bráhmaism or Buddhism be the more ancient creed, as well as whether the latter be of Indian or extra Indian growth. The Buddhists themselves have no doubts upon either point. They unhesitatingly concede the palm of superior antiquity to their rivals and persecutors the Bráhmans; nor do they in any part of the world hesitate in pointing to India as the cradle of their faith. Formerly we might be pardoned for building fine-spun theories of exotic origin upon the African locks of Buddha's images: but surely it is now somewhat too late, in the face of the abundant direct evidence which we possess against the exotic theory, to go in quest of presumptions to the time-out-of-mind illiterate Scythians, in order to give to them the glory of originating a system built upon the most subtle philosophy, and all the copious original records of which are inshrined in Sanskrit<sup>1</sup>—a language which, whencesoever primevally derived, had been, when Buddhism appeared, for ages proper to the Indian continent.

The Buddhists make no serious pretensions to a very high antiquity; they never hint at an extra Indian origin. Sákya Sinha is, avowedly, a Kshetriya, and if his six predecessors had really any historical existence, the books which affirm it, affirm too that all the six were of Bráhmaical or Kshetriya lineage. Saugata books treating on the subject of caste never call in question the antique fact of a fourfold division of the Hindú people, but only give a more liberal interpre-

<sup>1</sup> The slight difference between high Prákrit and Sanskrit cannot affect the question, though it were conceded that the founders of Buddhism used the former and not the latter—a concession, however, which should not be readily made.

tation to it than the current Bráhmancial one of their day.<sup>1</sup> The Chinese, the Tibetans, the Indo-Chinese, the Ceylonese, and other Indian islanders, all point to India as the father-land of the creed. The records of Buddhism in Nepál and in Tibet, in both of which countries the mother tongues of the people are of Mongol origin, are still either Sanskrit, or avowed translations from it by Indian Pandits: nor is there a single record or monument of this faith in existence which bears intrinsic or extrinsic evidence of an extra Indian origin.<sup>2</sup> The speculations of a writer of Sir W. Jones's day (M. Joinville) tending to prove argumentatively, from the characters of Buddhism and Bráhmanism, the superior antiquity of the former have been lately revived (see *ASIATIC JOURNAL*, No. CLX.) with applause. But, besides that fine-drawn presumptions are idle in the face of such a mass of direct evidence as we now possess, the reasonings of Joinville appear to me altogether based on errors of fact. Buddhism (to hazard a character in few words) is monastic asceticism in morals, philosophical scepticism in religion; and whilst ecclesiastical history all over the world affords abundant instances of such a state of things resulting from gross abuse of the religious sanction, that ample chronicle gives us no one instance of it as an original system of belief. Here is a legitimate inference from sound premises; but that Buddhism was, in very truth, a reform or heresy, and *not* an original system, can be proved by the most abundant direct testimony of friends and enemies. The oldest Saugata works incessantly allude to the existing superstition, as the Már-charya, or way of the serpent, contradistinguishing their reformation thereof as the Bódhi-Charya, or way of the wise; and the Bráhmancial impugnors of those works (who, upon so plain a fact could not lie) invariably speak of Buddhism as a notorious heresy.

A very small and mean section of the Saugatás alone ever hold the doctrine of mortal souls; and the Swábhávika denial of the creation of matter, by the fiat of an absolutely immaterial being, springs not out of barbarian obesity of intellect, but out of the keenness of philosophical penetration. JOINVILLE'S idea of the speculative tenets of Buddhism is utterly erroneous: many of them may be bad indeed; but they are of philosophy all compact; profoundly and painfully subtle; sceptical, too, rather than atheistically dogmatic. At the risk of being somewhat miscellaneous in this preface, I must allude to another point. The lamented ABEL RÉMUSAT sent me, just before

<sup>1</sup> See the *Buddha Disputation on Caste*.—R. A. S. *Trans.* vol. i. p. 160.

<sup>2</sup> See CRAUFURD'S remarks on the purely Indian character of all the great sculptural monuments of Buddhism in Java.

he died, a copy of his "Essay on the Saugata Doctrine of the Triad;" and Mr. UPHAM, I find, has deduced from RÉMUSAT's interpretation of that doctrine, the inference (which he supports by reference to sundry expressions in the sacred books of Ceylon) that I am in error in denying that Buddhism, in its first and most characteristic form, admits the distinction of *clerus et laicus*. It is difficult expressly to define that distinction; but it may be seen in all its breadth in Bráhmánism and in popery, whilst in Islamism, and in the most enthusiastic of the Christian sects which sprung out of the Reformation, it is wholly lost. According to my view, apostolic Christianity recognised it not;<sup>1</sup> the congregation of the faithful, the church, was a society of peers, of brethren in the faith, all essentially equal in gifts, as in place and character. On earth, there were no *indispensable* mediators—no *exclusive*, professional ones; and such alone I understand to be priests. Again, genuine monachism all over the world I hold to be in its own nature essentially opposed to the distinction of clergyman and layman; though we all know that monastic institutions are no sooner rendered matters of public law and extensive popular prevalence, than, *ex vi necessitatis*, the distinction in question is superinduced upon them by the major part of the monks virtually laicising, and the rest becoming clergy. There are limits to the number of those whom the public can support in idleness; and whoso would eat the bread of the public must perform some duty to the public. Yet who can doubt that the true monk, whether cœnobite or solitary, is he who abandons the world to save his own soul; as the true clergyman is he who mixes with the world to save the souls of others? The latter, in respect to the people or laics, has a distinctive function, and, it may be, also an exclusive one; the former has no function at all. Amongst entirely monastic sects, then, the exclusive character of priest is objectless and absurd; and who that has glanced an eye over ecclesiastic history, knows not, that, in proportion as sects are enthusiastic, they reject and hate (though nothing tainted with monachism) the exclusive pretensions of the clergy?

Whoever has been able to go along with me in the above reflections, can need only to be told, that primitive Buddhism was entirely monastic, and of an unboundedly enthusiastical genius,<sup>2</sup> to be satisfied that it did not recognise the distinction in question; and if, being

<sup>1</sup> Once for all I beg to say, that I disclaim all intention of controversy in reference to my own creed, to which I allude merely for illustration's sake.

<sup>2</sup> Its distinguishing doctrine is, that finite mind can be enlarged to infinite. All the schools uphold this towering tenet, and postpone all others to it. As for

suspicious of the validity of argumentative inferences, he demand of me simple facts—here they are. In the *Sata Sahasrika Prájna Paramita*, or *Racha Bhagavatí*, and also in the *Nine Dharmas* (the oldest and highest written authorities), it is affirmed, more or less directly, or is clearly deducible from the context in a thousand passages (for the subject is not expressly treated), that the only true followers of BUDDHA are monks, the majority being cœnobites, the rest solitaries. The fullest enumeration of these followers (BHIKSHU, SRÁVAKA or SRAMANA, CHAILAKA, and ARHATA, or ANHANA, or ARHANTA), proves them to have been all monks, tonsured, subject to the usual vows (nature teaching all mankind that wealth, women, and power, are the grand tempters), resident in vihárs, or in deserts, and essentially peers, though, of course, acknowledging the claims of superior wisdom and piety. The true church, the congregation of the faithful, is constantly said to consist of such only; and I am greatly mistaken indeed, if the church in this sense be synonymous with the clergy; or, if the primitive church of Buddha recognised an absolutely distinct body such as we (*i. e.* Catholics, Lutherans, and Arkmen) ordinarily mean when we speak of the latter.

The first mention of an exclusive professional active minister of religion, or priest, in the Bauddha books, is in those of a comparatively recent date, and not of Scriptural authority. Therein the Vajra Áchárya (for so he is called) first appears arrayed with the ordinary attributes of a priest; but his character is anomalous, as is that of every thing about him: and the learned Bauddhas of Nepál at the present day universally admit the falling off from the true faith. We have in these books, BHIKSHUS, SRÁVAKAS, CHAILAKS, and SÁKYA-VANSIKAS, bound by their primitive rules for ten days (in memory of the olden time), and then released from them; tonsured, yet married; ostensibly monks, but really citizens of the world. From any of the above, the Vajra Áchárya is drawn indiscriminately. He keeps the keys of the no longer open treasury; and he is surrounded with untonsured followers, who now present themselves for the first time. I pretend not to trace with historical nicety all the changes which marked the progress of Buddhism, as a public institute and creed of millions, up to the period of dispersion: but I am well aware, that the primitive doctrines were not, because they could not be, *rigidly*

the scepticism of the Swábhávikas, relative to those transcendent marvels, creation and providence, it is sufficient to prove its remoteness from flat atheism simply to point to the coexistence of the cardinal tenet first named. The essence of atheism is expressed in the ancient "*post mortem nihil est, ipsa mors nil.*"

adhered to, when what I hold to have been at first, the closet speculation of some philosophers had become the dominant creed of large kingdoms. That the latter character was, however, assumed by Buddhism in the plains of India long before the dispersion, seems certain; and, as many persons may urge, that the thing in question is the dominant public institute, not the closet speculation, and that whatever discipline prevailed before the dispersion must be held for primitive and orthodox, I can only observe, that the ancient books of the Saugatas, whilst they glance at such changes as I have adverted to, do so in the language of censure; and that, upon the whole, I still strongly incline to the opinion, that genuine, or primitive Buddhism (so I cautiously phrased it originally) rejected the distinction of *clerus et laicus*; that the use of the word priest by UPHAM is generally inaccurate; and that the Sanga of the Buddhist Triad ought to have been invariably rendered by RÉMUSAT into "congregation of the faithful, or church," and never into "clergy, or priesthood." RÉMUSAT, indeed, seems to consider (*Observations*, pp. 28, 29, and 32) these phrases as synonymes; and yet the question which their discrimination involves is one, which in respect to our own religion, has been fiercely agitated for hundreds of years; and still, by the very shades of that discrimination, chiefly marks the subsisting distinction between the various churches of Christ!

Following the authority he has relied on, Mr. UPHAM was at liberty, therefore, to adopt a sense which would be consistent with my interpretation of phrases such as he alludes to, and which, of course, I found copiously scattered over the works I consulted; I always rendered them advisedly into English, so as to exclude the idea of a priesthood, because I had previously satisfied myself, by separate inquiry and reflection, that that cardinal tenet was repugnant to the genius of the creed, and repudiated by its primitive teachers. This important point may have been wrongly determined by me; but assuredly the determination of it, upon such grounds as Mr. UPHAM's, is perfectly futile. Such words as Arhata and Bandya (which, by the way, are the correct forms of the Burmese Rahatun, and the Chinese Bonze) no more necessarily mean priest, clergy, than do the Latin *fideles* and *milites*, as applied to Christianity; and as for the word Sanga, it is indisputable that it does not mean *literally* priest,<sup>1</sup> and that it does mean literally congregation.

If, as RÉMUSAT and UPHAM appear to insist is the case, every monastic follower of Buddha be a priest, then Bandya, or Bonze,

<sup>1</sup> *Observations*, p. 29.

must be rendered into English by the word clergyman; but there will still remain as much difference between Bandya and Sanga, as, in Christian estimation, between an ordinary parson of the present day, and one of the inspired primitive professors. Of old, the spirit descended upon all alike; and Sanga was this hallowed and gifted congregation: but the glory has passed away, and the term been long sanctified and set apart. So has, in part, and for similar reasons, the word Arhata. But Bandya, as a generic title, and Bhikshu, Srāvaka, and Chailaka, as specific ones, are still every-day names of every-day people;—priests, if it must be so, but, as I conceive, ascetics, or monks merely. In the thick night of ignorance and superstition which still envelopes Tibet, the people fancy they yet behold the Arhatas in the persons of their divine Lamas. No such imagination, however, possesses the heads of the followers of Buddha in Nepál, Ceylon, or extra Gangetic India, though in the last-mentioned country, the *name* Arhata is popularly applied to the modern order of the clergy; an order, growing there, as in Nepál (if my opinions be sound), out of that deviation from the primitive genius and type of the system, which resulted necessarily from its popular diffusion, as the rule of life and practice of whole nations.

In conclusion, I would observe that, in my apprehension, RÉMUSAT'S interpretation of the various senses of the Triadic doctrine is neither very complete, nor very accurate. In a religious point of view, by the first member is understood the founder of the creed, and all who, following his steps, have reached the full rank of a Māhāyānika Buddha; by the second, the law of the sect; and by the third, the congregation of the faithful, or primitive church, or body of original disciples, or even, any and every assemblage of true, conventional, ascetical observers of the law, past or present.

In a philosophical light, the precedence of Buddha, or of Dharma, indicates the theistic or atheistic school. With the former, Buddha is intellectual essence, the efficient cause of all, and underived; Dharma is material essence,<sup>1</sup> the plastic cause, and underived—a coequal biunity with Buddha; or else, the plastic cause, as before, but dependent and derived from Buddha. Sanga is derived from, and compounded of Buddha and Dharma—is their collective energy in the state of action, the immediate operative cause of creation, its type or its agent.

With the latter, or atheistic school, Dharma is Diva Natura,

<sup>1</sup> Dhāranātmika iti Dharma, i.e. the holding, containing, or sustaining substance, is Dharma. Again, Prakrités'warī iti Prajñā, i.e. the material goddess, is Prajñā, one of the names of Dharma.

matter as the sole entity, invested with intrinsic activity and intelligence, the efficient and material cause of all. Buddha is derivative from Dharma; is the active and intelligent force of nature, first put off from it, and afterwards operating upon it. Sanga is the *result* of that operation; is embryotic creation; the type and sum of all specific forms, which are spontaneously and necessarily evolved from the union of Buddha with Dharma. The above are the principal distinctions: others there are which I cannot venture here to dwell on.

With regard to RÉMUSAT's remark, "On voit que les trois noms sont placés sur le même niveau, comme les trois représentations des mêmes êtres dans les planches de M. HODGSON, avec cette différence que, sur celles-ci, *Sanga est à droite, et Dharma à gauche*," I may just add, that the placing of Sanga to the right is a merely ritual technicality, conformable to the pújá of the Dakshináchárs; and that all the philosophers and religionists are agreed in postponing Sanga to Dharma.

I possess very many drawings exhibiting the arrangement mentioned by RÉMUSAT; but all subservient to mere ritual purposes, and consequently worthy of no serious attention.

The Matmatantra, or variorum text of the pújárees of the present day, displays an infinite variety of formulæ,<sup>1</sup> illustrated by corresponding sculptural and pictorial devices, embodied in those works, and transferred from them to the walls and interior of temples existing all over the valley of Nepál.

## QUOTATIONS IN PROOF.

### THE SWÁBHÁVIKA DOCTRINE.

1. All things are governed or perfected by Swabháva: I, too, am governed by Swabháva.

### ASHTA SAHASRIKA.

2. It is proper for the worshipper, at the time of the pújá, to reflect thus:—I am nirlipt, and the object of my worship is nirlipt: I am that God (Íswara) to which I address myself. Thus meditating, the worshipper should make pújá to all the celestials; for example, to Vajra Satwa Buddha let him pay his adorations: first, by recollecting that all things, with their vija mantras, came from Swabháva,

<sup>1</sup> See the classified enumeration of the principal objects of Buddha worship in the sequel, Appendix B.

in this order—from the vija of the letter Y, air; from that of the letter R, fire; from that of the letter V, or B, water; from that of the letter L, earth; and from that of the letter S, Mount Suméru. On the summit of Suméru is a lotus of precious stones, and above the lotus a moon-crescent, upon which sits, supremely exalted, Vajra Satwa. And as all things proceed from Swabháva, so also does Vajra Satwa, thence called the self-existent.

#### PÚJÁ KÁND.

3. All things and beings (all specific forms), which are alike perishable, false as a dream, treacherous as a *mirage*, proceed, according to some, from Swabháva, and, according to others, from God (Íswara); and hence it is said, that Swabháva and Íswara are essentially one, differing only in name.

#### ASHTA SAHASRIKA.

4. At the general dissolution of all things, the four elements shall be absorbed in Súnyákár-ákásh, in this order:—Earth in water, water in fire, fire in air, and air in akásh, and akásh in Súnyatá, and Súnyatá in Tathátá,<sup>1</sup> and Tathátá in Buddha (which is Mahá Súnya), and Buddha in Bhávana, and Bhávana in Swabháva; and when existence is again involved, each shall, in the inverse order, progress from the other. From that Swabháva, which communicates its property of infinity to akásh, proceeded into being, in akásh, the letter A and the rest of the letters; and from the letters, Ádi Buddha and the other Buddhas, and from the Buddhas the Buddha satwas; and from them the five elements, with their vija mantras. Such is the Swabhávika Sansár; which Sansár (universe) constantly revolves between pravritti and nirvritti, like a potter's wheel.

#### DIVYA AVADÁN.

5. Mahá Súnyatá is, according to some, Swabháva, and, according to others, Íswara. It is gagana-rúpá and nirádhará. In that Mahá-Súnya, the letter A, which is the vija mantra of Upáya, and the chief of all the vija mantras of the letters, became manifest.

#### RUCHA BHAGAVATÍ.

6. Some say creation is from God; if so, what is the use of Yatna, or of Karma? That which made all things, will preserve and destroy them; that which governs nirvritti governs pravritti also.

<sup>1</sup> Tathátá, says the comment, is Satya jnyán, and Bhávana is Bháva or Sattá, i. e. sheer entity.

BUDDHA CHARITRA KÁVYA.

7. The sandal-tree freely communicates its fragrance to him who tears off its bark. Who is not delighted with its odour? It is from Swabháva.

KALPALATÁ.

8. The elephant's cub, if he find not leafless and thorny creepers in the green wood, becomes thin. The crow avoids the ripe mangoe. The cause is still Swabháva.

KALPALATÁ.

9. Who sharpened the thorn? Who gave their varied forms, colours, and habits, to the deer kind and to the birds? Swabháva. It is not according to the will (ichchhá) of any; and if there be no desire or intention, there can be no intender or designer.<sup>1</sup>

BUDDHA-CHARITRA.

10. The conch, which is worthy of all praise, bright as the moon, rated first among excellent things, and which is benevolent to all sentient beings, though it be itself insensate, yields its melodious music purely by reason of Swabháva.

KALPALATÁ.

11. That hands, and feet, and belly, and back, and head, in fine, organs of whatever kind, are formed in the womb, the wise have attributed to Swabháva; and the union of the soul or life (átmá) with body, is also from Swabháva.

BUDDHA CHARITRA KÁVYA.

12. From Swabháva all things proceeded, by Swabháva all things are preserved; all their differences of structure and of habits are from

<sup>1</sup> Here is a plain indication of that denial of self-consciousness, or personality, in the *causa causarum*, which constitutes the main feature of Buddha philosophical religionism, and into which I have no doubt the Buddhists were drawn by the equally extravagant universal prosopopœia of the Bráhmans. It is a consequence of the above Saugata maxim, that their moral law is, like Dr. Clarke's fitness of things, a principle independent of the will of God. If such notions constitute atheism, the Buddhists are, for the most part, atheists. Excluding, however, a small and mean sect, they all admit eternal, necessary entity, endowed with intelligence and activity in their first cause or causes; and they all assert the soul's existence beyond the grave, together with the doctrine of atonement. Criticism is not my province; but I can hardly forbear in this place to remark, that Newton's judgment, "*Deus sine providentiâ et dominio nihil est nisi fatum et natura*," is the only true and sound one; and that the Swabhávika doctrine is, after all, a sad confusion of cause and effect.

Swabháva; and from Swabháva comes their destruction. All things are regulated (súddha) by Swabháva. Swabháva is known as the supreme. Pújá Kánd, &c. from the Racha Bhagavatí, where the substance is found in sundry passages.

13. Ákash is Swabhávika, because it is established, governed, perfected (siddha) by its own force or nature. All things are absorbed in it; it is uncreated or eternal; it is revealed by its own force; it is the essence (átmá)<sup>1</sup> of creation, preservation, and destruction; it is the essence of the five elements; it is infinite; it is intellectual essence (bodhanátmika); the five colours are proper to it, and the five Buddhas, and the letters. It is Súnyatá, self-supported, omnipresent; to its essence belong both pravritti and nirvritti. This Ákash, which is omnipresent and essentially intellectual, because infinite things are absorbed into it, is declared to be infinite. From the infinite nature of this Ákash were produced all moving things, each in its own time, in due procession from another, and with its proper difference of form and habits. From the secret nature of Ákash proceeded likewise, together with the vija mantra of each one, air with its own mobility; and from air, fire with its own heat; and from fire, water with its essential coldness; and, from water, earth with its proper solidity or heaviness; and from earth, Mount Suméru with its own substance of gold, or with its own sustaining power (Dhátwátmika); and, from Suméru, all the various kinds of trees and vegetables; and, from them, all the variety of colours, shapes, flavours, and fragrances in leaves, flowers, and fruits. Each derived its essential property (as of fire to burn) from itself, and the order of its procession into existence from the one precedent, by virtue of Swabháva operating in time. The Shadgati Sansár's several manners of going (four-legged, two-legged), and several modes of birth (oviparous, &c.<sup>2</sup>), all proceeded from Swabháva. From the Swabháva of each mansion or habital (Bhávana) resulted the differences existing between the several abodes of all the six sorts of animate beings. The existence of the foetus in the womb proceeds from the Swabháva<sup>3</sup> of the union of male and female; and its gradual growth and assumption of flesh, bones, skin, and organs, is caused by the joint energy of the Swabháva of the foetus and that of time — or, the Swabháva of the foetus operating in time. The procession of all things from birth, through gradual increase, to maturity, and thence, through gradual decay, to

<sup>1</sup> One comment on the comment, says átmá here means sthána or álaya, i.e. the *ubi* of creation.

<sup>2</sup> By "et cetera," understand always "more Brahmanorum."

<sup>3</sup> *Swa*, own, and *Bháva*, nature, force.

death, results spontaneously from the nature of each being ; as do the differences appropriated to the faculties of the senses and mind, and to those external and internal things which are perceived by them. Speech and sustenance from dressed food in mankind, and the want of speech, and the eating of grass in quadrupeds, together with the birth of birds from eggs, of insects from sweat, and of the Dévas without parentage of any sort — all these marvels proceed from Swabháva.

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## COMMENT ON THE PÚJÁ KÁND ON QUOTATION XII.

### THE AISWARIKA SYSTEM.

1. The self-existent God is the sum of perfections, infinite, eternal, without members or passions, one with all things and separate from all things ; in fine, formed and formless, the essence of pravritti and of nirvritti. *Swayambhu Purána.*

2. He whose image is Súnyatá, who is like a cipher or point, infinite, unsustained (in nirvritti), and sustained (in pravritti), whose essence is nirvritti, of whom all things are forms (in pravritti), and who is yet formless (in nirvritti), who is the Íswara, the first intellectual essence, the Ádi Buddha, was revealed by his own will. This self-existent is he whom all know as the only true being ; and though the state of nirvritti is his proper and enduring state, yet, for the sake of pravritti (creation), having become panchajnyánátmika, he produced the five Buddhas ; thus, from Suvisuddha-dharma-dhátu-jnyán, Vairochana, the supremely wise, from whom proceed the element of earth, the sight, and colours ; and from Adarsana-jnyán, Akshobhya, from whom proceed the element of water, the faculty of hearing, and all sounds ; and from Pratyavekshana-jnyán, Ratna Sambhava, from whom proceed the element of fire, the sense of smell, and all odours ; and from Sánta-jnyán, Amitábha, from whom proceed the element of air, the sense of taste, and all savours ; and from Krityanushthána-jnyán, Amogha Siddha, from whom proceed the element of ether, the faculty of touch, and all the sensible properties of outward things dependant thereon. All these five Buddhas are Pravritti-Kámang, or the authors of creation. They possess the five jnyáns, the five colours, the five mudrás, the five vehicles. The five elements, five senses, and five respective objects of sense, are forms of them ; and these five Buddhas each produced a Bodhisatwa (for the detail see elsewhere). These five Bodhisatwas are Srishti-Kámang, or the

immediate agents of creation ; and each, in his turn, having become Sarvaguna (invested with all qualities, or invested with the three gunas), produced all things by his fiat.

#### COMMENT ON QUOTATION 1.

3. All things existent proceed from some cause (hétu) ; that cause is Tathágata<sup>1</sup> (Buddha) ; and that which is the cause of existence is the cause of destruction. So said Sákya Sinha.

#### BHADRA KALPAVADÁN.

4. Body is compounded of the five elements. Soul, which animates it, is an emanation from the self-existent.

#### SWAYAMBHU PURÁNA.

5. Those who have suffered many torments in this life and have even burned in hell, shall, if they piously serve the Tri Ratna, or Triad, escape from the evils of both.

#### AVADÁN KALPALATÁ.

6. Subandhu, a Rájá of Benares, was childless. He devoted himself to the worship of Íswara (Ádi Buddha) ; and, by the grace of Íswara, a sugar-cane was produced from his semen, from which a son was born to him.

<sup>1</sup> " This important word is compounded of tathá, thus ; and gata, gone, or got ; and is explained in the three following ways : —1st. Thus got or obtained, viz. the rank of a Tathágata, got by observance of the rules prescribed for the acquisition of perfect wisdom, of which acquisition total cessation of births is the efficient consequence ; 2d. Thus-gone, viz. the mundane existence of the Tathágata, gone *so as never to return*, mortal births having been closed and nirvritti obtained by perfection of knowledge ; 3d. Gone in the same manner as it or they (birth or births) came — the sceptical and necessitarian conclusion of those who hold that both metempsychosis and absorption are beyond our intellect (as objects of knowledge) and independent of our efforts, (as objects of desire and aversion, contingencies to which we are liable) ; and that that which causes births causes likewise (*proprio vigore*) the ultimate cessation of them. The epithet Tathágata, therefore, can only be applied to the self-existent Ádi Buddha, who was never incarnated in a figurative, or, at least, a restricted sense, cessation of births being the essence of what it implies. I have seen the question and answer—what is the Tathágata ? It comes not again—it comes not again—proposed and solved by the Raksha Bhagavati, in the very spirit and even words of the Védas. One amongst a thousand instances that have occurred to me to prove how thoroughly *Indian* Buddhism is Tathágata, thus gone, or gone as he came, as applied to Ádi Buddha, alludes to this voluntary secession from the versatile world into that of abstraction, of which no mortal can predicate more than that the departure and the advent are *alike* simple results of his volition. Some authors substitute this interpretation, exclusively applicable to Ádi Buddha, for the third sceptical and general interpretation above given."

This race, that is that of SÁKYA SINHA, remains to this day, and is called Ikshwáku.

7. When all was Sún̄ya, great Sún̄ya, the triliteral syllable aum became manifest, the first created, the ineffably splendid, surrounded by all the radical letters (vīja akshara) as by a necklace. In that Aum, he who is present in all things, formless, and passionless, and who possesses the tri Ratna, was produced by his own will. To him I make adoration.

SWAYAMBHU PURÁNA.

*The Kármika System.*

1. From the union of Upáya and Prajná arose Manas, the lord of the senses; and from Manas proceeded the ten virtues and the ten vices: so said Sákya Sinha, Divya Avadán.

2. The being of all things is derived from belief, reliance (pratyaya), in this order,—from false knowledge, delusive impression; from delusive impression, general notions: from them, particulars; from them, the six senses and six respective objects of sense; from them, contact; from it, definite sensation and perception; from it, thirst or desire; from it, embryotic existence; from it, birth or existence; from it, all the distinctions of genus and species among animate things; from them, decay and death, after the manner and period peculiar to each. Such is the procession of all things into existence from avidya, or delusion; and, in the inverse order, to that of their procession they retrograde into non-existence; and the egress and regress are both Karmas, wherefore the system is called Kármika.

SÁKYA TO HIS DISCIPLES IN THE RACHA BHAGAVATÍ.

3. The existence of the versatile world is derived merely from fancy or imagination, or belief in its reality; and this false notion is the first Karma of manas, or first act of the sentient principle, as yet unindividualised and unembodied.

This belief of the unembodied sentient principle in the reality of a *mirage*, is attended with a longing after it and conviction of its worth and reality, which longing is called sanskár, and constitutes the second Karma of manas. When sanskár becomes excessive, incipient individual consciousness arises (third Karma); thence proceeds an organised and definite but archetypal body, the seat of that con-

sciousness (fourth Karma). From the last results the existence of (the six sensible and cognisable properties of) natural<sup>1</sup> objects, moral and physical (fifth Karma). When the archetypally embodied sentient principle comes to exercise itself on these properties of things, then definite perception or knowledge is produced, as that this is white, the other black; this is right, the other wrong (sixth Karma). Thence arises desire or worldly affection in the archetypal body (seventh Karma), which leads to corporeal conception (eighth), and that to physical birth (ninth). From birth result the varieties of

<sup>1</sup> So I render, after much inquiry, the *Shad Áyatan*, or six seats of the senses, external and internal, and which are in detail as follows:—*Rúpa*, *Sabda*, *Gandha*, *Rasa*, *Sparsa*, *Dharma*. There is an obvious difficulty as to *Sparsa*, and some also as to *Dharma*. The whole category of the *Áyatans* expresses *outward* things, and after much investigation I gather, that under *Rúpa* is comprised not only colour but form too, so far as its discrimination (or, in *Kármika* terms, its existence) depends on sight; and that *all* other unspecified properties of body are referred to *Sparsa*, which, therefore, includes not only temperature, roughness, and smoothness, and hardness, and its opposite, but also gravity, and even extended figure, though not extension in the abstract. Here we have not merely the secondary or sensible properties of matter, but also the primary ones; and, as the existence of the *Áyatans*, or outward objects perceived, is said to be derived from the *Indríyas* (or from *manas*, which is their collective energy), in other words, to be derived from the mere exercise of the percipient powers, the *Kármika* system amounts to immaterialism. Nor is there any difficulty thence arising in reference to the *Kármika* doctrine, which clearly affirms that theory, by its derivation of all things from *pratyaya* or from *Avidyá*. But the *Indríyas* and *Áyatans*, with their *necessary connexion* (and possibly, also, the making *Avidyá* the source of all things), belong likewise to the *Swábhávikas* school;\* and, in regard to it, it will require a nice hand to exhibit this *Berkleyan* notion existing co-ordinately with the leading tenet of the *Swábhávikas*. In the way of explanation I may observe, that the denial of material entity involved in the *Indríya* and *Áyatan* theory (as in that of *Avidyá*), respects solely the versatile world of *pravritti*, or of specific forms merely, and does not touch the *nirvrittika* state of formative powers and of primal substances, to which latter, in that condition, the qualities of gravity, and even of extended figure, in any sense cognisable by human faculties, are denied, at the same time that the real and even eternal existence of those substances in that state is affirmed.

2d. Though *Dharma*, the sixth *Áyatan*, be rendered by virtue, the appropriated object of the internal sense, it must be remembered that most of the *Swábhávikas*, whilst they deny a moral ruler of the universe, affirm the existence of morality as a part of the system of nature; others again (the minority) of the *Swábhávikas* reject the sixth *Indríya* and sixth *Áyatan*, and with them the sixth *Buddha*, or *Vajra Satwa*, who, by the way, is the *Magnus Apollo* of the *Tántrikas*—a sect, the mystic and obscene character of whose ritual, is redeemed by its unusually explicit enunciation and acknowledgment of a God above all.

The published explanations of the procession of all things from *Avidyá*, appear to me irreconcilably to conflict with the ideal basis of the theory.

\* I speak generically, and refer to one branch especially of the *Swábhávikas*.

genus and species distinguishing animated nature (tenth Karma), and thence come decay and death in the time and manner peculiar to each (eleventh and final Karma). Such is the evolution of all things in pravritti, opposed to which is nirvritti; and the recurrence of nirvritti is the sheer consequence of the abandonment of all absurd ideas respecting the reality and stability of pravritti, or, which is the same thing, the abandonment of Avidyá; for, when Avidyá is relinquished or overcome, Sanskár, and all the rest of the Karmas, or acts of the sentient principle, vanish with it; and also, of course, all mundane things and existences which are thence only derived. Now, therefore, we see that pravritti, or the versatile world, is the consequence of affection for a shadow in the belief that it is a substance; and nirvritti is the consequence of an abandonment of all such affection and belief. And pravritti and nirvritti, which divide the universe, are Karmas, wherefore the system is called Kármika.

4. Since the world was produced by the Karma of manas (or mere act of the sentient principle), it is therefore called Kármika.

The Manner of the procession of all things into existence is thus : from the union of Upáya and of Prajñá proceeded Manas, and from Manas, Avidyá, and from Avidyá, Sanskár, and from Sanskár, Vijnyána, and from Vijnyána, Náma Rúpa, and from Náma Rúpa, the Shad-áyatan, and from them, Védana, and from it, Trishná; and from it, Upadán; and from it, Bháva; and from it, Játi; and from it, Jaramarana: and from Játi-rúpya-manas emanated the ten virtues and ten vices; and according as men's words and deeds partake of the character of the one or the other, is their lot disposed, felicity being inseparably bound to virtue, and misery to vice, by the very nature of Karma. Such is the procession of all things into existence from Manas through Avidyá; and, when Avidyá ceases, all the rest cease with it. Now, since Avidyá is a false knowledge, and is also the medium of all mundane existence, when it ceases the world vanishes; and Manas, relieved from its illusion, is absorbed into Upáya and Prájña. Pravritti is the state of things under the influence of Avidyá; and the cessation of Avidyá is Nirvritti; Pravritti and Nirvritti are both Karmas.

ANOTHER COMMENT ON QUOTATION II.

5. The actions of a man's former births constitute his destiny.<sup>1</sup>

PUNYA PARÓDA.

6. He who has received from nature such wisdom as to read his

<sup>1</sup> Daivya identified with Ádi Buddha by the theistic, and with fate by the atheistic doctors.

own heart and those of all others, even he cannot erase the characters which Vidhatri<sup>1</sup> has written on his forehead.

AVADÁN KALPALATÁ.

7. As the faithful servant walks behind his master when he walks, and stands behind him when he stands, so every animate being is bound in the chains of Karma.

AVADÁN KALPALATÁ.

8. Karma accompanies every one, everywhere, every instant, through the forest, and across the ocean, and over the highest mountains, into the heaven of Indra, and into Patála (hell); and no power can stay it.

AVADÁN KALPALATÁ.

9. KANÁL, son of ASOKA RÁJÁ, because in one birth he plucked out the golden eyes from a Chaitya, had his own eyes plucked out in the next; and because he in that birth bestowed a pair of golden eyes on a Chaitya, received in the succeeding birth eyes of unequalled splendour.

AVADÁN KALPALATÁ.

10. SÁKYA SINHA's son, named RÁHÚLA BHADRA, remained six years in the womb of his mother YASODHA. The pain and anxiety of mother and son were caused by the Karmas of their former births.

11. Although I had acquired a perfect body, still in this body even defect again appeared, because I had still to expiate a small residue of the sins of former births. So said SÁKYA SINHA.

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LALITA VISTARA.

*The Yátnika System.*

1. Íswara (Ádi Buddha) produced yatna from Prájna; and the cause of pravritti and of nirvritti is yatna; and all the difficulties that occur in the affairs of this world and the next are vanquished by yatna (or conscious intellectual effort).

DIVYA AVADÁN.

2. That above-mentioned Íswara, by means of yatna, produced the five jnyáns, whence sprung the five Buddhas; the five Buddhas in like manner (*i.e.* by means of yatna) produced the five Bodhi-

<sup>1</sup> Brahmá; but here understood to be Karma.

satwas; and they again, by the same means, created the greater Dévatás from their bodies, and the lesser ones from the hairs of their bodies. In like manner Brahmá created the three Lokas, and all moving and motionless things. Among mortals all difficulties are overcome by yatna; for example, those of the sea by ships—those of illness by medicine—those of travelling by equipages—and want of paper by prepared skin and bark of trees: and as all our worldly obstacles are removed by yatna, so the wisdom which wins nirvritti for us is the result of yatna; because by it alone are charity and the rest of the virtues acquired and absorption thereby obtained. Since, therefore, all the goods of this world and the next depend upon yatna, SÁKYA SINHA wandered from region to region to teach mankind that cardinal truth.

COMMENT ON QUOTATION I.

3. That Ádi Buddha, whom the Swábhávikas call Swabháva, and the Aiswarikas, Íswara, produced a Bodhisatwa, who, having migrated through the three worlds and through all the six forms of animate existence, and experienced the good and evil of every state of being, appeared at last as Sákya Sinha, to teach mankind the real sources of happiness and misery, and the doctrines of the four schools of philosophy;<sup>1</sup> and then, by means of yatna, having obtained Bodhi-jnyán, and, having fulfilled all the páramitas, he became Nirván.

DIVYA AVADÁN.

4. Sákya Sinha having emanated from that self-existent, which, according to some is Swabháva, and according to others is Íswara, was produced for the purpose of preserving all creatures; he first adopted the pravritti márga (secular character), and in several births exercised yatna and Karma, reaping the fruits of his actions in all the three worlds. He then exercised yatna and Karma in the nirvritti-márga, or as an aspirant after absorption, essaying a release from this mortal evil, fulfilling the ten virtues from the Satya to the Dwápara-yuga, till at last, in the Kali-yuga, having completely released himself from sublunary cares, become a Bhikshuka, and gone to Buddhagaya, he rejected and reviled the Bráhmanical penance, did all sorts of true penance for six years under the tree of knowledge on the banks of the Niranjana river; conquered the Namuchi Mára;<sup>2</sup> obtained Bodhi-jnyán; became the most perfect of the Buddhas;

<sup>1</sup> The comment names them thus:—Swábhávika, Aiswarika, Yátnika, and Kármika. I do not find in Bauddha books those titles by which the Bráhmans distinguished the several schools of Saugata philosophy.

<sup>2</sup> A Daitya of Káncchanapura, personification of the principle of evil.

seated himself among the Bodhisatwas (Ānanda Bhikshu, and the rest); gave wisdom to the simple, fulfilled the desires of millions of people, and gave Moksha to them and to himself.

#### LALITA VISTARA.

5. A hare fell in with a tiger; by means of yatna the hare threw the tiger into a well. Hence it appears that yatna prevails over physical force, knowledge, and the mantras.

#### BHADRA KALPĀVADĀN.

6. Nara Sinha (Rājā of Benares) was a monster of cruelty. Satta Swoma Rāja, by means of yatna, compelled him to deliver up 100 Rāja-Kumāras whom Nara Sinha had destined for a sacrifice to the gods.

#### BHADRA KALPA.

7. Sudhana Kumāra found a beautiful daughter of a horsefaced Rāja named Drūma: by means of yatna he carried her off and kept her, and was immortalised for the exploit.

#### ĀDI BUDDHA.

1. Know that when, in the beginning, all was Mahā Sūnyatā, and the five elements were not, then Ādi Buddha, the stainless, was revealed in the form of flame or light.

2. He in whom are the three gunas, who is the Mahā Mūrti and the Visvarūpa, became manifest. He is the self-existent great Buddha, the Ādi Nāt'h, the Maheswara.

3. He is the cause of the existence of the three worlds—the cause of their well-being also. From his profound Dhyān the universe was produced by him.

4. He is the self-existent, the Íswara; the sum of perfections; the infinite; void of members or passions; all things are types of him, and yet he has no type; he is the form of all things and yet formless.

5. He is without parts, shapeless, self-sustained, void of pain and care, eternal, and not eternal.<sup>1</sup> Him I salute.

6. Ādi Buddha is without beginning. He is perfect, pure within, the essence of the wisdom of *thatness*, or absolute truth. He knows all the past. His word is ever the same.

<sup>1</sup> One in nirvritti, the other in pravritti; and so of all the preceding contrasted epithets.

7. He is without second ; he is omnipresent ; he is the Nairátmya Lion to the Kutírtha Deer.<sup>1</sup>

NÁM SANGÍTÍ.

8. I make salutation to Ádi Buddha, who is one and sole in the universe ; who gives every one Bodhi-jnyán ; whose name is Upáya ; who became manifest in the greatest súnayatá, as the letter A ; who is the Tathágata ; who is known only to those who have attained the wisdom of truth.

NÁM SANGÍTÍ.

9. As in a mirror we mortals see our forms reflected, so Ádi Buddha is known (in pravritti) by the thirty-two lakshanas and eighty anuvyanjanas.

NÁM SANGÍTÍ.

10. As the rainbow, by means of its five colours, forewarns mortals of the coming weather, so does Ádi Buddha admonish the world of its good and evil actions by means of his five essential colours.<sup>2</sup>

NÁM SANGÍTÍ.

11. Ádi Buddha delights in making happy every sentient being ; he tenderly loves those who serve him ; his majesty fills all with reverence and awe ; he is the assuager of pain and grief.

NÁM SANGÍTÍ.

12. He is the possessor of the ten virtues ; the giver of the ten virtues ; the lord of the ten heavens ; lord of the universe ; present in the ten heavens.

NÁM SANGÍTÍ.

13. By reason of the ten jnyáns his soul is enlightened ; he, too, is the enlightener of the ten jnyáns ; he has ten forms, and ten significations ; and ten strengths, and ten basitas. He is omnipresent ; the chief of the múnis.

<sup>1</sup> Comment says, Nairátmya is Sarva Dharmánám nirabbás lakshanam, and that tírtha means moksha, and kutírtha, any perversion of the doctrine of moksha ; as to say, it consists in absorption into Brahma : and it explains the whole thus :— He thunders in the ears of all those who misinterpret moksha ; there is no true moksha but súnayatá. Another comment gives the sense thus, dividing it into two parts :—There is no átma without him ; he alarms the wicked as the lion the deer.

<sup>2</sup> White, blue, yellow, red, and green, assigned to the five Dhyáni Buddhas. For a detail of the thirty-two lakshanas, eighty vyanjanas, five balas, five basitas, five jnyáns, five káyas, five driahtis, &c., of this and the neighbouring quotations, see Appendix A.

## NÁM SANGÍTI.

14. He has five bodies, and five jnyáns, and five sights; is the mukat of the five Buddha; without partner.

## NÁM SANGÍTI.

15. He is the creator of all the Buddhas; the chief of the Bodhi satwas are cherished by him; he is the creator of Prajná and of the world, himself unmade. [*Aliter*, he made the world by the assistance of Prajná, himself unmade.] He is the author of virtue; the destroyer of all things.<sup>1</sup>

## NÁM SANGÍTI.

16. He is the essence of all essences; he is Vajra Átma; he is the instantly-produced lord of the lord; the creator of ákash; he assumes the form of fire, by reason of the prájna-rúpi-jnyán, to consume the straw of ignorance.

## ÁDI PRAJNÁ, OR DHARMA.

1. I SALUTE that Prajná Páramita, who by reason of her omniscience causes the tranquillity—seeking Srávakas to obtain absorption, who by her knowledge of all the ways of action, causes each to go in the way suited to his genius; of whom wise men have said, that the external and internal diversities belonging to all animate nature are produced by her; who is the mother of Buddha (Buddha-mátrá), of that Buddha, to whose service all the Srávakas and Buddhi satwas dedicate themselves.

## PANCHÁ VINSATI SAHASRIKA.

2. First air, then fire, then water, then earth, and in the centre of the earth, Suméru, the sides of which are the residence of the thirty-three millions of gods (Dévatás); and above these, upon a lotos of precious stones, sustaining the mansion of the moon (or a moon-crescent), sits Prajná Páramita, in the Lalita-ásan manner,<sup>2</sup> Prajná

<sup>1</sup> The comment on this passage is very full and very curious, inasmuch as it reduces many of these supreme deities to *mere parts of speech*. Here is the summing up of the comment:—He (Ádi Buddha) is the instructor of the Buddhas, and of the Bodhi-satwas; he is known by the knowledge of spiritual wisdom; he is the creator and destroyer of all things—the fountain of virtue. Spiritual wisdom is stated to consist of Síla, Samádhi, Prajná, Vimukti, and Jnyán.

<sup>2</sup> That is, one leg tucked under, and the other advanced and resting on the bow of the moon-crescent.

and the mother of all the gods (Prasú Bhagavatám), and without beginning or end (Anádyanta).

BHADRA KALPAĀVADĀN.

3. I make salutation to that Prajnā Dévi, who is the Prajnā páramita ; the Prajnā Rúpá, the Nirúpá, and the universal mother.

PÚJÁ KĀND.

4. Thou Prajnā art, like akásh, intact and intangible ; thou art above all human wants ; thou art established by thy own power : he who devoutly serves thee serves the Tathágata also.

ASHTA SAHASRIKA.

5. Thou mighty object of my worship ! thou, Prajnā, art the sum of all good qualities, and Buddha is the Guru of the world. The wise make no distinction between thee and Buddha.

ASHTA SAHASRIKA.

6. O, thou who art merciful to thy worshippers ! The benevolent, knowing thee to be the source of Buddha-excellence, attain perfect happiness by the worship of thee !

ASHTA SAHASRIKA.

7. Those Buddhas who are merciful, and the Gurus of the world, all such Buddhas are thy children. Thou art all good, and the universal mother (sakala jagat Pitámahí).

ASHTA SAHASRIKA.

8. Every Buddha assembling his disciples, instructs them how from unity thou becamest multifomed and many-named.

ASHTA SAHASRIKA.

9. Thou comest not from any place ; thou goest not to any place. Do the wise no where find thee ?<sup>1</sup>

ASHTA SAHASRIKA.

10. The Buddhas, Pratyéka-Buddhas, and Srávakas, have all devoutly served thee. By thee alone is absorption obtained. These are truths revealed in all the sastras.

<sup>1</sup> The force of the question, says the comment, is this : "Of course the wise do find thee."

## ASHTA SAHASRIKA.

11. What tongue can utter thy praises ; thou of whose being (or manifestation) there is no cause but thy own will. No Purána hath revealed any attribute by which thou mayest certainly be known.

## ASHTA SAHASRIKA.

12. When all was Súnyatá, Prajná Dévi was revealed out of ákash with the letter U ; Prajná, the mother of the Buddhas and Bodhi satwas, in whose heart Dharma ever resides ; Prajná who is without the world, and the world's wisdom ; full of the wisdom of absolute truth ; the giver and the *śāśv* of that wisdom ; the ever-living (sanātani) ; the inscrutable ; the mother of Buddha.<sup>1</sup>

## PÚJÁ KÁND.

13. O Prajná Dévi ! thou art the mother (janani) of all the Buddhas, the grandmother of all the Bodhi satwas, and the great-grandmother of all creatures ! Thou art the goddess (Íśaní).

## PÚJÁ KÁND.

14. Thou Srí Bhagavatí Dévi Prajná art the sum of all the sciences ; the mother of all the Buddhas ; the enlightener of Bodhi jnyán ; the light of the universe !

## GUNA KÁRANDA VYÚHA.

15. The humbler of the pride of Namuchi Mára, and of all other proud ones ; the giver of the quality of satya ; the possessor of all the sciences ; the Lakshmi ; the protector of all mortals. Such is the Dharma Ratna.

## GUNA KÁRANDA VYÚHA.

16. All that the Buddhas have said, as contained in the Mahá Yána Súra, and the rest of the Sútras, is also Dharma Ratna.

## GUNA KÁRANDA VYÚHA.

17. Because Buddha sits on thy brow, the splendour thence derived to thy form illuminates all the ethereal expanse, and sheds over the three worlds the light of a million of suns ; the four dévatas—Brahmá, Vishnu, Mahesa, and Indra, are oppressed beneath thy foot, which is advanced in the Alir-Asan manner. O Arya Tara ! he who shall meditate on thee in this form, shall be relieved from all future births.

<sup>1</sup> Sugatajá ; which the Vámáchárs render, "Of whom Buddha was born ;" the Dakshináchárs, "born of Buddha," or, "the goer to Buddha," as wife to husband.

SARAKA DHÁRA.<sup>1</sup>

18. Thy form, say some of the wise, is thus : From the roots of the hairs of thy body sprang ákâsh, heaven, earth, and hades, together with their inhabitants, the greater dévatas and the lesser, the Daityas, the Siddhas, Gandharbas, and Nágas. So, too (from thy hairs), wonderful to tell ! were produced the various mansions of the Buddhas, together with the thousands of Buddhas who occupy them. From thy own being were also formed all moving and motionless things without exception.

SARAKA DHÁRA.

19. Salutation to Prajná Dévi, from whom, in the form of desire, the production of the world was excellently obtained ;<sup>2</sup> who is beautiful as the full moon ; the mother of Ádi Buddha (Jinéndra mátri), and wife of (the other) Buddha ; who is imperishable as adamant.


SÁDHANA MÁLA.

20. That Yoni, from which the world was made manifest, is the Trikonákár yantra : in the midst of that yantra, or trikona (triangle), is a bindu (point, cipher) ; from that bindu Ádi Prajná revealed herself by her own will. From one side of the triangle Ádi Prajná produced Buddha, and from another side, Sanga. That Ádi Prajná is the mother of that Buddha who issued from the first side : Dharma, who issued from the second side, is the wife of the Buddha of the first side, and the mother of the other Buddhas.

COMMENT ON QUOTATION 20.

21. Salutation to Prajná paramita, the infinite, who, when all was Sunyatá, was revealed by her own will out of the letter U—Prajná, the Sakti of Upáya, the sustainer of all things (Dharmiki), the mother of the world (jagat-mátri), the Dhyán-rupýá, the mother of the Buddhas. The modesty of women is a form of her, and the prosperity of all earthly things. She is the wisdom of mortals, and the ease, and the joy, and the Moksha, and the knowledge. Prajná is present every where.

<sup>1</sup> Composed by Sarvajna Mitrapada, of Cashmír, and in very high esteem, though not of Scriptural authority.

<sup>2</sup> Dharmodyasangata Kámarúpiní, variously rendered, " Well got from the rise of virtue," and " Well got from the rise or origin of the world ;" also as in the text. Dharmodya, the source of being, means also the Yoni, typified by a triangle (see the twenty-first quotation). The triangle is a constant type of the Buddha saktis, also of the triad,  the point in the midst symbolizes either Ádi Buddha, or Ádi Prajná, according to the Dakshináchári, or Vámáchári tendency of his opinions who uses the type. The commentator is a Vámáchári.

## ADIII SANGA.

1. That Amitábhá, by virtue of his Sámta jnyán, created the Bodhi satwa, named Padma Páni, and committed to his hands the lotos.<sup>1</sup>

## GUNA KÁRANDA VYÁHÁ.

2. From between his (Padma Páni's) shoulders sprang Brahmá; from his forehead, Mahá Déva; from his two eyes, the sun and moon; from his mouth, the air; from his teeth, Saraswati; from his belly, Varuna; from his knees, Lakshmí; from his feet, the earth; from his navel, water; from the roots of his hair, the Indras and other dévatas.

3. For the sake of obtaining nirvritti, I devote myself to the feet of Sanga, who, having assumed the three gunas, created the three worlds.

## PÚJÁ KÁND.

4. He (Padma Páni) is the possessor of the Satya Dharma; the Bodhi-satwa; the lord of the world; the Mahá satwa; the master of all the Dharmas (adhipéswara).

## GUNA KÁRANDA VYÚHA.

5. The lord of all worlds (Sarva lokádhipa); the Srimán; the Dharma Rájá; the Lokeswara; sprung from Ádi Buddha (Jinát-majá). Such is he whom men know for the Sanga Ratna.

## GUNA KÁRANDA VYÚHÁ.

6. From the union of the essences of Upáya<sup>2</sup> and of Prájna proceeded the world, which is Sanga.

<sup>1</sup> Type of creative power.

<sup>2</sup> Such is the Aiswarika reading; the Prájnikas read, "from the union of Prajñá and Upáya." With the former, Upáya is Ádi Buddha, the efficient and plastic cause, or only the former; and Prajñá is Ádi Dharma, plastic cause,—a biunity with Buddha, or only a product. With the latter, Upáya is the energy of Prajñá, the universal material cause. The *original* text, as I believe, is Prajnón-páyátmakam jagata, which I thus translate: "From the universal material principle, in a state of activity, proceeded the world." This original text has, however, undergone two transformations, to suit it to the respective doctrines of the Aiswarikas, and of the Kármikas. The version of the former is, Upáyprajnamakang Sanga; that of the latter is, Upáyprajñátmakang manasa. Of both these versions, the Upáya is identical with Ádi Buddha, and the Prajñá with Ádi Dharma. But the *result*—the unsophisticated jagat of the Prájnikas—becomes Ádi Sanga, a *creator*, with the Aiswarikas; and Manas, the sentient principle in man, the first production and producer of all other things and beings, with the Kármikas.

Avidyá, or the condition of mundane things and existences, is an illusion alike

With reference to the consistency, or otherwise, of the views taken by me in the "Sketch of Buddhism," with the general tenor of the foregone quotations, I would observe, that the ideal theory involved in the Prájñika-swábhavika, and in the Kármika doctrines, was omitted by me in the Sketch from some then remaining hesitation, as to its real drift, as well as its connexion with those schools, *and no other*. Upon this exclusive connexion I have still some doubt; for the rest, I retain unchanged the opinions expressed in the Sketch, that the Kármika and Yátnika schools are more recent than the others—that they owe their origin to an attempt to qualify the extravagant quietism of the primitive Swábhávikas, and even of the Aiswarikas—and that their *contradistinguishing* mark is the preference given by them respectively to morals, or to intellect, with a view to final beatitude. The assertion of the Ashta Sahasrika, that Swabháva, or nature, absolutely disposes of us—not less than the assertion of *others*, that an immaterial abstraction so disposes of us—very logically leads the Buddha charitra to deny the use of virtue, or intellect. To oppose these ancient notions, was, I conceive, the especial object of those who, by laying due stress on Karma and Yatna, gave rise to the Kármika and Yátnika schools; but that these latter entertained such just and adequate notions of God's providence, or man's free will, as *we* are familiar with, it is not necessary to suppose, and is altogether impossible. None such they *could* entertain, if, as I believe, they adopted the general principles of their predecessors. The ideal theory, or denial of the reality of the versatile world, has, in *some of its numerous phases*, a philosophical foundation; but its prevalence and popularity among the Buddhists are ascribable principally to that enthusiastic contempt of action for which these quietists are so remarkable. Their passionate love of abstractions is another prop of this theory.

with the Prájñikas and with the Kármikas. But, whilst the former consider Avidya the universal affection of the one *material* and *immediate* cause of all things whatever, the latter regard Avidyá as an affection of Manas merely, which they hold to be an *immaterial* principle, and the *mediate* cause of all things else. Ádi Buddha, solely, is their final cause. The phenomena of both are homogeneous and unreal; but the Prájñikas derive them directly from a material source; the Kármikas, indirectly, from an immaterial fount. Our sober European thoughts and language can scarcely cope with such extravagances as these; but it would seem we must call the one doctrine material, the other *immaterial*, idealism. The phenomena of the Prájñikas are mere energies of matter; those of the Kármikas are mere human perceptions. The notions of the former rest on general grounds; those of the latter on particular ones, or, as it has been phrased, upon putting "the world into a man's self."

## APPENDIX A.

*Detailed Enumeration of some of the principal Attributes of ĀDI BUDDHA, referred to in the preceding Quotations under that Head.*

## द्वात्रिंशल्लक्षणानि

- चक्राङ्कितपाणिपादतलता १  
 सुप्रतिष्ठितपाणिपादतलता २  
 जालावद्धवज्रांगुलिपाणिपादतलता ३  
 मृदुतरूणहस्तपादतलता ४ सप्तोद्धन्ता ५  
 दीर्घांगुलिता ६ आयतपाष्णिता ७ ऋजुगात्रता ८  
 उत्संगपादता ९ उड्ढांगिरोमता १०  
 ऐनेयजंघता ११ पतुरूवाहुता १२  
 कोषगतवस्तिगुह्यता १३ सुवर्णवर्णता १४  
 शुक्लवृत्ता १५ प्रदक्षिणावर्त्तेकरोमता १६  
 उर्णालिंकृतमुखता १७ सिंहपूर्वर्द्धिकायता १८  
 सुसंभृतस्कंधता १९ चित्तांतरांगता २०  
 रसरसाग्रता २१ न्याग्रोधपरिमण्डलता २२  
 उष्णीषशिरस्कता २३ प्रभूतजिह्वता २४  
 प्रस्तम्बरता २५ सिंहहनुता २६ शुक्लहनुता २७  
 समदन्तता २८ हंसविक्रान्तगामिता २९  
 अविरलदन्तता ३० समचत्वारिंशदन्तता ३१  
 अभिनीलनेत्रता ३२

## अशीति व्यंजनानि

आताम्रनखता १ स्निग्धनखता २ तुंगनखता ३  
 छत्रांगुलिता ४ अनुपूर्वांगुलिता ५ गूढशिरता ६  
 निग्रन्थिशिरता ७ गूढगुल्फता ८ अविषमपादता ९  
 सिंहविक्राञ्जगामिता १० नागविक्राञ्जगामिता ११  
 हंसविक्राञ्जगामिता १२ वृषभविक्राञ्जगामिता १३  
 प्रदक्षिणगामिता १४ चारुगामिता १५  
 अवक्रगामिता १६ वृत्तगात्रता १७ मृष्टगात्रता १८  
 अनुपूर्वगात्रता १९ शुचिगात्रता २० मृदुगात्रता २१  
 विशुद्धगात्रता २२ परिपूर्णव्यंजनता २३  
 पृथुचारुमण्डलगात्रता २४ समक्रमता २५  
 विशुद्धनेत्रता २६ सुकुमारगात्रता २७  
 अदीनगात्रता २८ उत्साहगात्रता २९  
 गम्भीरकुक्षिता ३० प्रसन्नगात्रता ३१  
 सुविभक्तांगप्रत्यंगता ३२ वितिमिरशुद्धालोक्ता ३३  
 वृत्तुंगकुक्षिता ३४ मृष्टकुक्षिता ३५  
 अभयकुक्षिता ३६ अक्षोमकुक्षिता ३७  
 गम्भीरनाभिता ३८ प्रदक्षिणावर्तनाभिता ३९  
 समन्तप्राशादिक्ता ४० शुचिसमुदाचारता ४१  
 ब्यंपगतैलकालगात्रता ४२  
 गन्धसदृशसुकुमारपाणिता ४३  
 स्निग्धपाणिलेखिता ४४ गम्भीरपाणिलेखिता ४५  
 आयतपाणिलेखिता ४६ नात्यायतवचनता ४७  
 विम्बप्रतिविम्बोष्टता ४८ मृदुजिह्वता ४९  
 तनुजिह्वता ५० मेघगर्जितघोषता ५१

रक्तजिह्वा ५२ मधुरचारुमंजुस्वरता ५३  
 वृत्तदंष्ट्रता ५४ तीक्ष्णदंष्ट्रता ५५ शुक्लदंष्ट्रता ५६  
 समदंष्ट्रता ५७ अनुपूर्वदंष्ट्रता ५८ तुंगनासिकता ५९  
 शुचिनासिकता ६० विशालनेत्रता ६१  
 चित्रपद्मता ६२ सीतासितकमलदलनेत्रता ६३  
 आयतकृक्ता ६४ शुक्लभ्रूक्ता ६५ सुस्निग्धभ्रूक्ता ६६  
 पीनायतभुजलता ६७ समकर्णता ६८  
 अनुपहतकर्णेन्द्रियता ६९ अपरिस्थनललाटता ७०  
 पृथुललाटता ७१ सुपरिपूर्णोत्तमांगता ७२  
 भ्रमरसदृशकेशता ७३ चित्रकेशता ७४  
 गुह्यकेशता ७५ असंमुणितकेशता ७६  
 अपुरुषकेशता ७७ सुरभिकेशता ७८  
 श्रीवत्समुत्तिकनंघावर्तुलचिह्नितपाणिपादतलता ७९ to

### पंच वर्णानि

श्वेत १ नील २ पीत ३ रक्त ४ श्याम ५

### दश पारमिता

दान १ शील २ क्षान्ति ३ वीर्य ४ ध्यान ५  
 प्रज्ञा ६ उपाय ७ बल ८ प्रणिधि ९ ज्ञान १०

### दश भुवनानि

प्रमुदिता १ विमला २ प्रभाकरी ३ अर्चिष्मती ४  
 सुदुर्जया ५ अभिमुखी ६ दूरंगमा ७  
 साधुमती ८ समन्तप्रभा ९ धर्ममेघा

## दश ज्ञानानि

दुःखज्ञानं १ समुदयज्ञानं २ निरोधज्ञानं ३  
मार्गज्ञानं ४ धर्मज्ञानं ५ अर्थज्ञानं ६ संवृत्तिज्ञानं ७  
परचित्तज्ञानं ८ क्षयज्ञानं ९ अनुत्पादज्ञानं १०

## दशाकाराः

पृथिव्याकारः १ जलाकारः २ अग्न्याकारः ३  
वाय्वाकारः ४ आकाशाकारः ५ आकाशनिरोधाकारः ६  
वायुनिरोधाकारः ७ अग्निनिराधाकारः ८  
जलनिरोधाकारः ९ पृथिवीनिरोधाकारः १०

## दशार्थाः

प्राणार्थ १ अपानार्थ २ समानार्थ ३  
उदानार्थ ४ व्यानार्थ ५ कूर्मार्थ ६ कृकरार्थ ७  
नागार्थ ८ देवदत्तार्थ ९ धनंजयार्थ १०

## दश वलानि

स्थानास्थानज्ञानवलं १ कर्मविपाकज्ञानवलं २  
नानाधातुज्ञानवलं ३ नानाविमुक्तिज्ञानवलं ४  
सत्वेन्द्रियपरापरज्ञानवलं ५  
सर्वत्रगामिप्रतिपत्तिज्ञानवलं ६  
ध्यान विमोक्ष समाधि समापत्ति संक्लेश व्यावदान  
स्थान ज्ञानवलं ७ पूर्वनिवासानुस्मृतिज्ञानवलं ८  
व्युत्पत्तिज्ञानवलं ९ आश्रवक्षयज्ञानवलं १०

### दश वशिताः

आयुर्वशिता १ चित्रवशिता २ परिस्कारवशिता ३  
धर्मवशिता ४ अन्धिवशिता ५ जन्मवशिता ६  
अधिभुक्तिवशिता ७ प्रणिधानवशिता ८  
कर्मवशिता ९ ज्ञानवशिता १०

### पंच कायाः

धर्मकायः १ संभोगेकायः २ निर्माणकायः ३  
महासुखकायः ४ ज्ञानकायः ५

### पंचचक्षुः

मांसचक्षुः १ धर्मचक्षुः २ प्रज्ञाचक्षुः ३ दिव्यचक्षुः ४  
बुद्धचक्षुः ५

### इतिबुद्धलक्षणादिसमाप्ताः

### अथ अष्टादशशून्यता लिख्यते

अध्यात्मशून्यता १ वहिधिशून्यता २  
अध्यात्मवहिधीशून्यता ३ शून्यताशून्यता ४  
महाशून्यता ५ परमार्थशून्यता ६ संस्कृतशून्यता ७  
असंस्कृतशून्यता ८ अत्यन्तशून्यता ९  
अनवरागशून्यता १० अनवकारशून्यता ११  
प्रकृतिशून्यता १२ सर्वधर्मशून्यता १३  
स्वलक्षणशून्यता १४ अनुपलम्भशून्यता १५  
अभावशून्यता १६ स्वभावशून्यता १७  
अभावस्वभावशून्यता १८  
मतांतरे विंशति शून्यताः लक्षणशून्यता १९  
अलक्षणशून्यता २०

## APPENDIX B.

### *Classified Enumeration of the principal Objects of Buddha Worship.*

#### EKÁMNÁYA.

Upáya.  
Ádi-Buddha.  
Mahá-Vairochana.

#### EKÁMNÁYÍ.

Prajná.  
Prajná-páramitá.

#### DWAYÁMNÁYA.

1.	2.
Upáya.	Prajná.
2.	1.
Prajná.	Upáya.

#### TRAYÁMNÁYA.

2.	1.	3.
Dharma.	Buddha.	Sangha.
2.	1.	3.
Sangha.	Buddha.	Dharma.
1.	2.	3.
Buddha.	Dharma.	Sangha.

#### PANCHA-BUDDHÁMNÁYA.

4.	2.	1.	3.	5.
Amitábha.	Akshobhya.	Vairochana.	Ratnasambhava.	Amoghasiddha.

#### PANCHA-PRAJNÁMNÁYÍ.

4.	2.	1.	3.	5.
Pándará.	Lochaná.	Vajradhátwísvarí.	Mámakí.	Tára.

4.	2.	1.	3.	5.
Padmapáni.	Vajrapáni.	Samantabhadra.	Ratnapáni.	Viswapáni.

## PANCHASANGHA-PRAJNÁMNÁYÍ.

4. 2. 1. 3. 5.  
Bhrikutí-tára. Ugratára. Sitatára. Ratnatára. Visvatára.

## MATÁNTARA-PANCHA-BUDDHÁMNÁYA.

1. 2. 3. 4. 5.  
Vairochana. Akshobhya. Ratnasambhava. Amitábha. Amoghasiddha.

## MATÁNTARA-PANCHA-PRAJNÁMNÁYÍ.

1. 2. 3. 4. 5.  
Vajradhátwísvarí. Lochaná. Mámakí. Pandará. Tára.

## MATÁNTARA-PANCHA-SANGHÁMNÁYA.

1. 2. 3. 4. 5.  
Samantabhadra. Vajrapáni. Ratnapáni. Padmapáni. Viswapáni.

## MATÁNTARA-PANCHA-SANGHA-PRJNÁMNÁYÍ.

1. 2. 3. 4. 5.  
Sitatára. Ugratára. Ratnatára. Bhrikutítára. Visvatára.

## MATÁNTARA-PANCHA-BUDDHÁMNÁYA.

4. 2. 1. 3. 5.  
Amitábha. Amoghasiddha. Vairochana. Ratnasambhava. Akshobhya.

## MATÁNTARA-PANCHA-PRAJNÁMNÁYÍ.

4. 2. 1. 3. 5.  
Tára. Mámakí. Vajradhátwísvarí. Pándará. Lochaná.

## SHAD-ÁMNÁYA-BUDDHÁH.

1. 2. 3. 4.  
Vairochana. Akshobhya. Ratnasambhava. Amitábha.  
5. 6.  
Amoghasiddha. Vajrasatwa.

## SHAT-PRAJNÁMNÁYÍ.

1. 2. 3. 4. 5.  
Vajradhátwísvarí. Lochaná. Mámakí. Pándará. Tára.  
6.  
Vajrasatwátmiká.

## SHAT-SANGHÁMNÁYA.

1. 2. 3. 4. 5.  
Samantabhadra. Vajrapáni. Ratnapáni. Padmapáni. Viswapáni.  
6.  
Ghantapáni.

MÁNUSHÍYA-SAPTA-BUDDHÁMNÁYA.

- |             |        |           |             |             |          |
|-------------|--------|-----------|-------------|-------------|----------|
| 1.          | 2.     | 3.        | 4.          | 5.          | 6.       |
| Vipasyí.    | Sikhí. | Viswabhá. | Kakútsanda. | Kanakamuni. | Kásyapa. |
| 7.          |        |           |             |             |          |
| Sákyasinha. |        |           |             |             |          |

MATÁNTARA-MÁNUSHÍYA-SAPTA-BUDDHÁMNÁYA.

- |             |             |        |          |           |             |
|-------------|-------------|--------|----------|-----------|-------------|
| 6.          | 4.          | 2.     | 1.       | 3.        | 5.          |
| Kásyapa.    | Kakútsanda. | Sikhí. | Vipasyí. | Viswabhú. | Kanakamuni. |
| 7.          |             |        |          |           |             |
| Sákyasinha. |             |        |          |           |             |

PRAJNÁ-MISRITA-DHYÁNI-NAVA-BUDDHÁMNÁYA.

- |            |                              |           |                |         |       |
|------------|------------------------------|-----------|----------------|---------|-------|
| 2.         | 1.                           |           | 3.             |         |       |
| Akshobhya. | Vairochana-Vajradhátwísvarí. |           | Ratnasambhava. |         |       |
| 8.         | 6.                           | 4.        | 5.             | 7.      | 9.    |
| Pándará.   | Lochaná.                     | Amitábha. | Amoghasiddha.  | Mámakí. | Tárá. |

DHYÁNI-NAVA-BUDDHÁMNÁYA.

- |              |             |             |                |               |
|--------------|-------------|-------------|----------------|---------------|
| 4.           | 2.          | 1.          | 3.             | 5.            |
| Amitábha.    | Akshobhya.  | Vairochana. | Ratnasambhava. | Amoghasiddha. |
| 8.           | 6.          | 7.          | 9.             |               |
| Vajradharma. | Vajrasatwa. | Vajrarája.  | Vajrakarma.    |               |

DHYÁNI-NAVA-PRAJNÁMNÁYÍ.

- |                |                  |                   |               |       |
|----------------|------------------|-------------------|---------------|-------|
| 4.             | 2.               | 1.                | 3.            | 5.    |
| Pándará.       | Lochaná.         | Vajradhátwísvarí. | Mámakí.       | Tárá. |
| 8.             | 6.               | 7.                | 9.            |       |
| Dharmavajriní. | Vajrasatwátmiká. | Ratnavajriní.     | Karmavajriní. |       |

DHYÁNI-NAVA-SANGHÁMNÁYÁH.

- |             |             |                |            |           |
|-------------|-------------|----------------|------------|-----------|
| 4.          | 2.          | 1.             | 3.         | 5.        |
| Padmapáni.  | Vajrapáni.  | Samantabhadra. | Ratnapáni. | Visvpáni. |
| 8.          | 6.          | 7.             | 9.         |           |
| Dharmapáni. | Ghantápáni. | Manipáni.      | Karmapáni. |           |

MISRITA-NAVA-BUDDHÁMNÁYÁNÁM ETE MISRITA-NAVA-SANGHÁMNÁYÁH.

- |                          |                 |            |                            |  |
|--------------------------|-----------------|------------|----------------------------|--|
| 2.                       | 1.              |            | 3.                         |  |
| Maitreya.                | Avalokiteswara. |            | Gaganaganja.               |  |
| 6.                       | 4.              | 5.         | 7.                         |  |
| Manjughosha.             | Samantabhadra.  | Vajrapáni. | Sarva-nivarana-vishkambhí. |  |
| 8.                       |                 | 9.         |                            |  |
| Kshitigarbha. Khagarbha. |                 |            |                            |  |

MISRITA-NAVA-BUDDHÁMNÁYÁNAM ETE NAVA-DHARMÁMNÁYÁH PAUS-  
TAKÁH BUDDHA-DHARMA-SANGHA-MANDALE PÚJANAKRAME ÉTAN  
MÚLAM.

2.	1.	3.
Gandavyúha.	Prajná-páramitá.	Dasabhúmíswara.
6.	4.	5.
Saddharmapundaríka.	Samádhirája.	Lankávatára.
	8.	9.
	Lalita-vistara.	Suvarna-prabhá.

NAVA-BODHISATWA-SANGHA-PRAJNÁMNÁYÁH.

4.	2.	1.	3.	5.
Sitatára.	Maitráyani.	Bhrikutítára.	Pushpatára.	Ekajatá.
	8.	6.	7.	9.
	Dípatára.	Vágíswarí.	Dhúpatára.	Gandhatára.

NÁVA-DEVÍ-PRAJNÁMNÁYÍ.

2.	1.	3.
Vajravidáriní.	Vasundhará.	Ganapati-hrídya.
6.	4.	5.
Márichí.	Ushnisha-vijayá.	Parnasavarí.
	8.	9.
	Pratyangirá.	Dhwajágrakeyúrí.

MISRITA-NAVA-DHARMÁMNÁYÁH.

4.	2.	1.	3.	5.
Pándará.	Lochaná.	Vajradhátwíswarí.	Mámakí.	Tára.
	8.	6.	7.	9.
	Pratyangirá.	Vajrasatwátmiká.	Vasundhará.	Guhyeswarí.

MÁNUSHÍYA-NAVA-BUDDHÁMNÁYÁH.

4.	2.	1.	3.	5.
Sikhí.	Ratnagarbha.	Dípankara.	Vipasyí.	Viswabhú.
	8.	6.	7.	9.
	Kásyapa.	Kakutsanda.	Kanakamuni.	Sákyasinha.

MÁNUSHÍYÁ NAVA-BUDDHÁMNÁYÁH.

1.	2.	3.	4.	5.
Dípankara.	Ratnagarbha.	Vipasyí.	Sikhí.	Viswabhú.
	6.	7.	8.	9.
	Kakutsanda.	Kanakamuni.	Kásyapa.	Sákyasinha.

MĀNUSHĪYA-NAVA-PRAJÑAMNĀYĪ.

- |            |                 |             |              |             |
|------------|-----------------|-------------|--------------|-------------|
| 1.         | 2.              | 3.          | 4.           | 5.          |
| Jwālāvatī. | Lakshanavatī.   | Vipasyantī. | Sikhāmālinī. | Viswadharā. |
| 6.         | 7.              | 8.          | 9.           |             |
| Kakudvatī. | Kanthanamālinī. | Mahīdharā.  | Yasodharā.   |             |

NAVA BHIKSHU-SANGHĀMNĀYĀH.

- |                |             |             |             |             |
|----------------|-------------|-------------|-------------|-------------|
| 1.             | 2.          | 3.          | 4.          | 5.          |
| Pradīpeswara.  | Ratnarāja.  | Mahāmātī.   | Ratnadharā. | Ākāsaganja. |
| 6.             | 7.          | 8.          | 9.          |             |
| Sakalamangala. | Kanakarāja. | Dharmodara. | Ānanda.     |             |

ITI SRĪ-EKĀMNĀYĀDI-NAVĀMNĀYA-DEVATĀH SAMĀPTĀH.

N.B. The authority for these details is the Dharma Sangraha, or *catalogue raisonné* of the terminology of the Buddha system of philosophy and religion,

ART. XVII.—*Description of the Sea-Ports on the Coast of Malabar, of the Facilities they afford for Building Vessels of different Descriptions, and of the Produce of the adjacent Forests, by JOHN EDYE, Esq. of the Survey Department, Royal Navy.*

*Read 16th May, 1835.*

MY first paper being descriptive of the various vessels of India, on the coasts of Malabar and Ceylon, I shall now proceed to describe the sea-ports, and the resources of the forests, on the coast of Malabar; and also, the facilities for building vessels of different descriptions, particularly at the port of Cochin, and those places which I have visited during my residence of five years in the country.

Cochin was a sea-port of some importance and trade with all India, when in possession of the Portuguese and Dutch. About the year 1520, the former became possessed of it; and in 1663, the Dutch took it from them. The latter well understood its importance, and caused it to be fortified at a considerable expense; built the town, arsenal, and churches; and established several institutions for the benefit of the inhabitants, who consisted generally of such opulent persons as had retired from the many possessions of that nation in other parts of the East. About the year 1796, Cochin was captured by the English. From this period it has been on the decline, more particularly so from 1806, when orders were given to destroy all the fortifications and public buildings,—orders which were most implicitly complied with. From the explosions of the masses of the fort, scarcely a house of any magnitude now remains standing; and such as were not thrown down at the time, were seriously injured, and have since become a heap of ruins. From this circumstance, the leading Dutch families, who once resided here with every degree of splendour, have now deserted the place, and few remain in it but the distressed, or those whose miserable existence depends on the bounty of the India Company. Many of these families, now reduced even to beggary, and ending their days in poverty and misery, with nothing to mark their former greatness, were once holding titles, and of the first rank in society.

The number of miserable poor that fill this place, and who live almost entirely on the few *pice* they obtain from Europeans, strikes every stranger with surprise and horror. Their appearance is truly lamentable, and even disgusting, from the effects of disease. Sad indeed is their case, for they are the offsprings of Europeans and

emancipated slaves, descended from African parents; from which circumstance they are looked upon as the most degraded of human beings by the natives of Hindústán, who consider them as pariahs and out-casts.

In the year 1817 some delusive hopes cheered the hearts of these poor creatures. An advertisement was circulated in and about the town of Cochin, that an exchange was to be effected with the King of the Netherlands, and that the Island of Banca was to be given for Cochin. These hopes were, however, delusive; the exchange did not take place, and these unfortunates were left to pine and die.

The garrison town of Cochin is about one mile in length, and nearly half a mile in width. It is situated on the south side of the entrance of the river. Without the town is a sandy plain that extends to the boundary line of the Rájá's dominions, about one mile from the fort, where the Cochin territory commences. West of the town is the sea coast of Malabar. To the north of the town is the entrance to the harbour of Cochin, leading also into the backwater, which contains several small islands. To the southward is Matan Chirri, and Jew-Town. The former town is the mart, or bázár, in which the trade is carried on with the natives of other parts of the coast of Malabar, and even with those of the Gulf of Cutch and Arabia; at present it is very insignificant compared with what it was when in possession of the Dutch. Both these towns are inhabited by people of all nations and castes. In the latter town some Jewish people are to be found, who are still perfectly fair, and whose state and circumstances are much the same as those of the Dutch, being reduced to the lowest state of distress. There are a few proofs left of the comforts they once enjoyed, particularly the synagogue, which is frequently visited by strangers, being the only one, I believe, in India.

Without the town is Black-Town village, inhabited by a race of black Jews, whose expression of countenance is as strongly marked as those of their brethren in all parts of the world, and whose habits are very similar in every respect: they are generally engaged in bartering and trade with strangers, and with sailors in particular, to whom they supply stock for sea voyages. Ships from Bombay to England get supplies in abundance at a very low rate, the prices of which are about as follows:—Pigs, about  $2\frac{1}{2}$  to  $3\frac{1}{2}$  rupees each; sheep,  $2\frac{1}{2}$  rupees; cows, at from 7 to 8 rupees each; turkeys, from 2 to 3 rupees per pair; geese, from 5 to 6 rupees per pair; ducks, from  $2\frac{1}{2}$  to 3 rupees per dozen; fowls, full grown, 3 rupees, and chickens, 2 rupees per dozen; with rice and every description of provision in abundance.

## PRICES OF MARINE STORES, &amp;c.

The *first* description *koir rope*, of from 2 to 20 inches circumference, 22 rupees per candy, of 600 lbs. Dutch, or 650 English; and, if in yarn, it is about 18 rupees per candy.

*Second* quality, about 17 rupees in rope of the before-named sizes, and 14 rupees in the yarn.

*Third* quality, 15 rupees in rope, and 12 rupees in yarn.

*Memorandum*.—All cable and hawser-laid rope increases from the before-named prices at the rate of 3 rupees per candy.

Memorandum of the quantity of *koir-yarn* that can be procured at Cochin yearly from the following ports, and of the rates :—

1. Anginjo .....	25 candies .....	30 to 35 rupees.*
2. Porcard .....	1000 do. ....	20 — 30 do.
3. Paliport .....	600 do. ....	20 — 30 do.
4. Cochin .....	1000 do. ....	14 — 20 do.

From which it will be seen, that the best can be obtained in the order in which the quality is rated.

Cochin twine can be purchased at 3 lbs. for a rupee.

Damah, or resin, about 33 rupees per candy.

Cocoa-nut oil, 1½ rupees per choadinun, a measure of about 3½ gallons English.

Wax candles, first sort, from 86 to 90 rupees for 100 lbs. Dutch, or 112 English.

Do. second sort, 73 rupees Do.

The following articles are imported into Cochin, and may also be obtained at the prices stated :—

Baypúr hempen canvass, 40 yards per piece, at 25 rupees each.	
— lead-line, 8 lbs. ....	3½ do.
— small line, 4 lbs. ....	1½ do.
— log-line .....	½ do.
— twine, 1 lb. ....	½ do.
Paulyhuat canvass, 10 yards per piece.....	4½ do.

Ships here obtain a supply of water without any difficulty, by stating their wants to the master-attendant. Commanders of the traders here complete their sea-stock when on long voyages, and without sending a boat on shore.

The anchorage is about two or three miles off the bar in five fathoms of water, which is considered good and safe from September till about the end of May, at which period the change of the monsoon takes place. The harbour has a bar-mouth distant about three-quarters of a mile from the shore; in the mid-channel there is a depth at low-water from

\* Exchange 8½ rupees the pound sterling.

eleven to twelve feet; its bank is about 100 yards in length. The flow of the tide is three feet, and during the full moon, and the change, its rise is four feet, which gives a midnight tide of sixteen feet; and a vessel of that draught of water can pass out of the harbour, with the assistance of a strong land-wind, as there is no swell on the bar in the north-west monsoon at night. Under the old walls of the fort, the depth of water is about twenty-five or thirty feet.

The *Glenelg*, a ship of about 800 tons, which was built and fitted for sea at Cochin, took a cargo of 400 tons on board, and with a draught of water of 14 feet 6 inches, sailed out of the port, and, on passing the bar, she had from two to three feet of water to spare. They took the precaution to sound and buoy off the channel, which should always be done for large vessels, as it frequently occurs that the bank shifts from twenty to one hundred and thirty yards north and south. The passage-way, or channel, is keeping the large tree at the north end of Schuler's House, on the bastion, on a line with the flag-staff on the tower. The bottom is fine sand generally, and considered good anchorage.

The backwater of Cochin extends nearly north and south for a distance of 120 miles. About eighty miles to the southward is Quilon, and forty miles north are streams leading into the Baypúr river, which is fed by streams from the hills and Western Gháts during the monsoon, when the rapids are great, swelling the rivers many feet. At one period, I knew the Alywes, or Alwy, to rise nearly sixteen feet in twenty-four hours, and to continue at this height for some months, until about the change of the monsoon, when it fell again to five or six feet. In the dry season, the backwater shoals in many places to two feet, and even to six inches at the northern and southern extremities, where it disembogues into the sea at Paliport, or Paliporam, which is fourteen miles north, and at Allepi, which is forty-five miles south of Cochin.

Allepi is in the Travancór country, and where the Travancór Rájá's depôt of timber is formed. The land on each side of the backwater is low and swampy; in the monsoon season a great part of it is inundated, as are also the islands. The former, as well as the latter, are densely covered with cocoa-nut trees, which produce koir, cordage, oil, &c., which form the general exports and trade of the port. Within the embankments, on the islands of the backwater, great quantities of rice are cultivated after the subsiding of the waters, and exported to the northward. It is now that the timber is conveyed from the hills to the depôt, and that the general produce is brought to the sea-ports for sale. It is calculated that there are about 1500 native carpenters to be found on the banks of the rivers, and in

the ports of Paliport, Cochin, and Allepi; they are good workmen, if properly superintended by shipwrights who understand the theory of their work, and are able to control them in ship-building, the knowledge of the natives being limited to the use of their tools, which they are expert in handling; and with two chisels and a mallet will perform work of much credit, and, in many instances, in a manner superior to that of Europeans.

The small native vessels they build are from fifty to two hundred and sixty tons' burden, named Pattamás, Dows, and Boutillas. These vessels export the cargoes to the northward, and return the following year, after the south-west monsoon, with cargoes of dates, &c., but generally only in ballast trim.

The port of Cochin is the only place on the coast of Malabar, south of Bombay, where large ships can be built. In confirmation that such ships can be built here, we have only to refer to what has been done for the navy of England, by the building of three frigates in 1820 and 1821. Smaller vessels for the government service in India have also been built here, and many ships, of from five hundred to eight hundred tons' burden, for the merchant service. The expenses and particulars of building ships at Cochin will be found in the following table.

The timber materials (teak) being obtained from the forests of the Rájás of Cochin and Travancór, under certain restrictions of sale, the articles of the agreement will be clearly understood by the copy of a contract, where the quantity sold for several years will also be found. This valuable wood is procured from the numerous forests of the Gháts; and during the rains in the south-west monsoon, or from June to September, is conveyed thence, down the rivers, to the several depôts at Paliport, Kranganór, Allepi, &c., which are situated north and south of Cochin.

The produce of the Cochin and Travancór forests averages from about 1500 to 1600 tons annually, which is sold in lots, of all classes and descriptions, large and small, the purchaser being restricted to take the whole as it is found. The sale is confirmed by the resident and his assistant, on the part of the purchaser, and the Diwán of Cochin, on behalf of the rájá. It will be necessary to state, that a great part of this timber is unfit for ship-building: from the injury it sustains in being brought down through the rapids of the Gháts, from heights varying from 1000 to 3000 feet. One-third part, therefore, of the timber sold is greatly injured for use in large ships, but it is at all times saleable to the natives for the small vessels, that are constantly building in the port of Cochin, and for exportation to the northward, or to the Persian Gulf, and to Cutch.

*An Account of the Expenses of Ships built at Cochin, in India, as follows:—*

	Frigate of 500 tons.	MERCHANT SHIPS.					SCHOONER.
		580 tons.	550 tons.	575 tons.	380 tons.	65 tons.	
Amount of labour for shipwrights and carpenters	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
Do. caulkers.....	2723 12 2	2777 12 0	2294 11 0	2343 5 0	1146 2 0	131 10 0	
Do. do. smiths .....	141 19 2	261 11 0	153 2 0	162 13 0	87 6 0	15 6 0	
Do. do. sawyers .....	315 4 2	396 0 0	419 8 0	350 5 0	119 14 0	10 5 0	
Do. do. labourers .....	335 9 2	349 15 0	311 1 0	352 11 0	147 1 0	9 10 0	
Do. do. ....	343 19 3	416 18 0	242 4 0	246 17 0	210 1 0	27 5 0	
Total of labour .....	3860 3 11	4191 16 0	3420 6 0	3465 11 0	1710 4 0	193 16 0	
Do. timber and plank.....	4434 19 0	4344 8 0	3713 12 0	3920 15 0	2213 9 0	200 14 0	
Sundry charges for stores, &c.....	2139 15 8	2331 13 0	2620 8 0	2631 14 0	1273 0 0	436 14 0	
Copper sheathing and nails .....	841 11 3	} Copper bolts and sheathing for these vessels included in the above.					
Copper bolts, charged as iron in S. A.....	1930 11 0						
Total Expense .....	13207 0 10	10867 17 0	9954 6 0	10208 0 0	5196 13 0	831 4 0	

In the distant forests many large trees are cut into short lengths of from twelve to fifteen feet, for the more careful removal, many of them being from two to four feet in diameter.

In the Iruári forests, these trees are to be found from sixty to eighty feet high, and from four to seven feet in diameter. There are also many sorts of timber to be found well calculated for ship-building; one in particular named *marda*, which grows to very large dimensions, but from its weight, which is about seventy-five pounds the cubic foot, it is impossible to get it to the coast. A description of this wood, and of the various other woods of the forests, will be found in the following pages.

Copy of a contract for the sale of the Cochin timber as follows :

Articles of agreement entered into by Francis Schuler, merchant at Cochin, with the Cochin government, for the purchase of the whole of the round timber that lies at Paliport, Cranganore, and Ponani.

" Francis Schuler agrees to receive the whole of the Cochin Sirkars round timbers which are now at Paliport, Cranganore, and Ponani, agreeably to the Malabar measurement, the usual deductions to be made for defects, and the timber to be such as is merchantable, viz.

1st class....	25 to 30	kali long....	12	barrels up....	26	rupees. <sup>1</sup>
2d	....20 to 24½	....	12	....	22½	
3d	....16 to 19½	....	12½	....	17	
4th	....12 to 15½	....	10	circumf.	....	13
5th	.... 8 to 11½	....	8	....	7½	
6th	.... 9 to 7½	....	5	....	6½	

" Francis Schuler engages to pay one-third of the probable amount of the value of the said timber immediately; one-third on the half of the timber being measured, and the remaining sum when the measurement is complete."

" The Cochin Sirkar agrees to measure the timber at Paliport, Cranganore, and Ponani, on the hand, and deliver the whole thus purchased, viz.; the timber at Paliport and Cranganore to be floated at the Sirkar's expense to Viaporn, and at Ivica, and that at Ponani to be delivered at that place in the river. The floating of it to be at the purchaser's expense, the Sirkar promising to afford any assistance which may be required.

" In consideration of the amount being paid here in cash, the parties have agreed to allow the purchaser a reduction of five per cent. The resident engages to employ all his influence to cause the agreement to be duly observed on the part of Cochin Sirkar.

(Signed) " F. SCHULER,  
" Nanjaprah, Díván of Cochin."

<sup>1</sup> Rupees per candy of twelve English cube.

The following is a statement of the quantities of the last purchase made while I was at Cochin, with the prices paid to the Cochin Sirkar:—

	Candies.	Rupees.
2d class....	67½ at 30 Rupees each.....	2026
3d	.... 264½ at 25	..... 6600
4th	....3020 at 17	.....51340
5th	....7856 at 10	.....78560
6th	....2986 at 8	.....23888
	<u>14,194</u>	<u>162,414</u>

Candies at 12 feet each, English measure.

Rupees at 2s. 3d. per rupee.

The rates by which the purchase of plank was effected with the Travancór Sirkar, taking them by the native appellation Ialdrans, or planks of eleven inches broad as an average breadth, with the following thickness and lengths:—

1½ inches, 2, and 2½ thick; 20 to 25 feet long; at 140 rupees per corgé (of 20 in number).

Three inches to 4½ thick; 20 to 35 feet long; at 175 rupees per corgé (of 20 in number) with the following restrictions:—

“It is agreed, that the purchaser is permitted to reject one to every five of the number for sale, and to take them at *half-price*. It was also further agreed, that the fourth, fifth, and sixth classes of timber, sold for building the ships at Cochin for his majesty's government, should be in the following proportions of one-sixth, two-sixths, and three-sixths of the classes, thus;—one of fourth class, two of fifth class, and three of sixth class, at rates similar to the before-named.

It may perhaps be interesting to shew the amount produced from the quantities of timber sold from Travancór forests from 1814 to 1821:—

	Rupees.
1814 .....	200,000
1815 .....	150,000
1816 .....	130,000
1817 .....	100,000
1818 .....	60,000
1819 .....	40,000
1820 .....	70,000
1821 .....	80,000
	<u>830,000</u> Rupees;

Or, about £. 94,857 Sterling.

*Remarks on the Forests of Cochin, and of the Northern Part  
of Travancór.*

These forests may be said to form a continuation of a line, commencing at Cape Comorin, south, and joining the Company's forests at Ernad, north, distant from the sea, on one side, from fifteen to thirty miles, and, on the other, extending to the foot of the Western Gháts. They are named the Chitór, Palipili, Parwathani, Putudi, Kandacharri, and Iruári forests. The Ernad forests principally belong to the India Company, and the timber from them is shipped from the Baypúr river for Bombay; and that portion felled in the Rájá of Cochin's forests is floated down the backwater to the Cochin depôt.

The Chitór forest is the most northerly of the Rájá's, and is about eighty miles, in a north-east direction, from Cochin. The whole of the forests are most conveniently situated, and the facilities are great for forwarding their produce to the ports of shipment, with the exception of the Iruári, which is distant and very mountainous, but abounding in timber of large dimensions, and of much value for naval uses.

The extent and particulars of this part of the country continue to be unknown, and it is probable that they will remain so, from the impenetrable state of the jungle, and from the fatal effects of malaria, which are such on the European constitution as to produce jungle fever, and, it may be said, certain death, to those who venture to approach it at particular periods of the year.

The following account of this forest may be interesting. It was given in a Report to the resident by the late Major GORDON, of the Bombay Engineers, who had the control of the government sales in Travancór for many years, and who presented me with a copy of his Report to aid me in obtaining that knowledge which I was in search of, having been sent by his Majesty's government to "*Cochin to ascertain the resources of India*, on the coast of Malabar, or elsewhere," for building ships of war, the produce of timber, and the means for the supply of teak-timber, &c.

"The forest of Iruári lies in a deep and gloomy glen, about fifty or sixty miles from the open country, at the foot of the Gháts, and fifty miles east of Khodamungalum, and about ninety miles from Cochin. It is bounded on the north and south by a ridge of high rocky hills, bare on their summits, but covered with a thick, impenetrable jungle below. The river Iruári flows in the centre of the valley, and although short in its course, being fed by innumerable torrents from either side, it soon becomes of considerable

magnitude, and is as remarkable for the prodigious height to which its waters swell, as for their sudden decrease. The source of this great river is about two days' journey east of Kellaparambu; it is navigable for full twenty miles above the rapids, and below, beyond its junction with the river Alambulpara and Caudampara, to the Great River from Magrechall, where the most dangerous of its obstructions terminates. Such is the rapidity of the current, that in about sixteen hours a snake-boat has been known to arrive at Balgotti; and in a common canoe, a distance of from forty-five to fifty miles has been performed in about three hours by myself.

Towards the rapids above Magrechall, the valley of Iruári is much contracted, and pent up between two craggy mountains, besides having its course intercepted by numerous masses of rocks, through which it rushes with the most inconceivable violence, roaring and foaming for miles, and producing the most awful and grand effect, although there is no perpendicular fall. It is when the fragments of rocks which obstruct the channel of the river are overflowed, which generally happens to be the case from July to September, that the floating of the timber which may be felled above becomes practicable, as the river is then free from obstructions in its course. At other times it is impossible to get the logs down, as they would be shivered to atoms, or wedged together between the rocks in the narrow passages, and form a barrier to the rest. In some parts this frequently happens when the floods are at their heights.

The usual mode followed by the natives who work in the hills is, to keep the logs of timber in readiness above the rapids, tied with rattans to the trees on the banks of the rivers, and when the water rises to certain marks, which they have to indicate that the rapids are clear of obstructions, every log is cut adrift, and then carried with extreme velocity down the river to the station at Magrechall, where they are received by the raft-men; from thence they are passed on to the Malleatúr river, and formed into regular rafts, and sent to the depôt at Allepi, by the rivers Allwe and Balgotti. There are now about 1000 logs of teak-timber in the Iruári forests ready for floating; of these from 600 to 800 may be expected to be floated down during this season: but, as much depends upon the flooding of the rivers, no accurate idea of the result can be formed.

In the valley of Iruári, the soil near the river is a deep vegetable mould over red earth; but on the approach to the mountains it gradually becomes more shallow, till at length you arrive at the Ghát's summit, where there is not even soil to nourish the growth of a shrub.

The teak-tree grows principally near the banks of the rivers, and where there is a rich soil. In sheltered situations it is found the most luxuriant, which accounts for the enormous size of the timber in those situations: its quality also is affected by these causes. Certain it is that the carpenters give a preference to the timber of the other forests, although it is inferior to this in size and beauty. They think the wood inferior in strength and elasticity, and not so durable for ship-building; and when we consider that one springs from between the rock with a slow growth, while that from the Iruári is from a deep, fertile soil, it is fair to conclude, from its rapid growth and open free grain, that their judgment is correct, and that much difference must exist in the quality of these woods, although it is very superior to the teak generally used for house work and boarding, and much softer for working.

The timber of the Iruári forests is very remarkable for its large dimensions and short junks, which is a consequence of the necessity of cutting the trees into short logs to get them down the rapids. Perhaps it would here be proper to suggest, that a few barrels of gunpowder might be expended with beneficial effect, in blasting, during the dry season, some of the most prominent rocks in the narrow passes of the rivers; and the month of January would be proper time to commence such work.

From all the information that could be gleaned, the Iruári forest is a valuable acquisition to the Travancór government, and the timber is not likely to be exhausted for many years. This naturally calls attention to the grounds on which the government of Cochin questions the right under which the Travancór government holds this forest; particularly from circumstances which have come to knowledge from the questions put to the hill people, and their answers, in communicating the result of which, I would by no means wish implicit reliance to be placed on the testimony of these people, knowing that the smallest prospect of an advantage on their side would bias them at any time. But every thing in the shape of influence has been avoided in the inquiry; and they are unanimous in believing themselves the subjects of the Travancór government, and that their mountains are within the limits of Travancór.

It is a known fact, that when MATTU TARRAGON rented the Cochin forests of Pallipilli and Coracherri from that government, and the forests of Malliatúr and Tricat, from Travancór, which are adjoining to these and the Iruári forest, that the value of the latter was not known at the time MATTU TARRAGON's lease with the Travancór government expired; consequently, for his own interest, it became an

important point, under such circumstances, and the existing doubt of right, to endeavour to establish this part of the country as belonging to the Cochin government.

The following circumstances are, to my mind, a strong evidence in confirmation of the claims to the Iruári hills. The hill people conceive the Iruári Malla to belong to the Dévastanam of the Travancór pagoda, which is about three miles from Khodamungalum; and they informed me that it was yielded, with other lands, to Travancór, about fifty years since, on condition that the Rájá should thereafter defray the expenses of the pagodas.

On inspection of the face of the country, the boundary claimed by Cochin may well be termed fictitious, for between Vembar and the first station of Iruári, there is not any trace of a line of demarcation, although the former is acknowledged to belong to Travancór, and the latter to Cochin; yet none can say where the boundary of the one state commences, or where that of the other terminates.

The only circumstance which can induce the Cochin government to claim the property of the Iruári forests, appears to be the following: about thirty-five years since, the Rájá of Cochin, from whom the reigning prince is second in descent, invited one of the chiefs of the hill people, who was possessed of more than ordinary native intelligence, to the palace at Tripantæ; presents were given to him for his native people, and he himself was invested with the insignia of Pandian (signifying prince), from which, as it appears, he afterwards paid homage to Cochin. The then Rájá was an acute and ambitious man, and took this step to secure the dependants of the forests. From what can be collected, it would appear that this occurred about fifteen years after the cession of the Tricarúr Dévastanam lands, which gave to Travancór the sole right of the Iruári Malla. These circumstances may also be looked upon with suspicion from the want of any knowledge of a boundary among the hill people; but although the doubt still exists, it is the firm belief that this country is the property of the Travancór, and not that of the Cochin government.

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*Remarks on the Country and Forests South of Cochin, in the Travancór Country.*

*Khodamungalum* is a deserted village, situated about forty-five miles east of Cochin, and at the foot of the forests of the Gháts of Malabar, in the Travancór country; the valley in which it is built is

low, and at the head of the river which empties itself into the Back-water of Cochin at Wycomb, distant from the town of Cochin about ten miles southward. The soil is red gravel and clay, in which it is said the teak-tree thrives. The valley may be considered to rise gradually for about twenty miles from the coast of Malabar: this part of the country is considered by the natives to be particularly unhealthy, and few Europeans who pass through it, excepting at the period when the rains have fairly set in, escape an attack of malignant fever.

The houses of the Nair-caste people are, generally speaking, of two stories; they are formed of mud and straw, with straw roofs—the other huts are similar to those on the sea-coasts of Malabar and Ceylon. About this part there are many Syrian Christians<sup>1</sup> and Roman Catholics,—they have two churches of the latter and one of the former, said to be built about 570 years since, from which period it appears little has been done to either: the rude style of architecture and attempts at decoration will not bear comparison with the elegance, antiquity, and display of the pagodas of India. Much cannot be said of the place further than that it is the village from whence the hill people get their supplies, and the nearest inhabited village to the Gháts. The soil about this place is considered favourable to the growth of teak and other woods. About this village the jungle is impenetrably thick, and there is very little cultivation of anything excepting rice, which is grown in scanty supplies after the rains subside.

About three miles from *Khodamangalum* is the village of *Tricarúr*, which is at the foot of the Gháts; and, strange to say, here are the ruins of a pagoda, and also the old walls of some ancient buildings to be traced, of the origin of which no information can be obtained from the oldest inhabitants. About the months of June and July, after three or four days' rain, the work of the forests commences at a distance from the banks of the rivers and nullas, of at least two to three days' journey. The cause of the work being so far removed from the banks of the rivers and nullas, and of other injurious effects, is the former practice of farming the forests, and of felling every tree that was teak, either large or small, by those people who used to farm the hills for a certain annual sum.

The forests are now worked by the government, with the aid of the hill people, or Malliars. These miserable people, for safety from the wild beasts of the forests, have their dwellings in trees and clumps of bamboo.

<sup>1</sup> See the second Number of the Royal Asiatic Society's Journal, p. 171.

In the Iruári forests there are calculated to be about fifty souls, men, women, and children ; they are Hindús, but it appears that they can give no account of themselves or of their religion ; they worship and respect every thing from which they apprehend danger.

In some parts of the rivers there are large rocks that have been hurled from the mountains and cliffs, which offer great obstructions to the waters in the rainy season, and being in the middle of the river, produce a tremendous noise, called by them the “ Tonda Tuta ;” here they assemble and offer up their devotions.

These people are a small and diminutive race, are very much attached to each other, and are very sincere in their affection to their chief Pandian Khodi : they are true subjects. This chief has a proper and commanding sway over his people ; and, from his sovereignty, is entitled to a twofold share of all presentations made by the government, or otherwise ; he has also two wives. They consider themselves a happy and contented people ; but their state, to Europeans, excites pity and commiseration.

These people travel the forests in search of ivory, medicinal fruits, teak-trees, &c. ; they are employed also in laying snares for the capture of wild animals, for the sake of their skins and teeth, for which they are rewarded by the government of Travancór with rice, cloth, &c. ; and, at times, they get, as a special favour, opium and tobacco, which are highly esteemed by them.

To Europeans they are sincere, if treated with kindness, but very timid and distant with strangers ; they are extremely jealous of any attention to their women ; great caution is required in taking them as guides, and should offence be given to one they all equally feel it, desert your service, and fly to the forests, from which cause a suspension to the working of the forests for the season results, and the greatest difficulty ensues to renew a good understanding with them. From this circumstance, the government takes care to keep them in good humour, as it would be impossible to work the forests without their aid, or to obtain the produce, which amounts, on an average, to about 160,000 rupees for Travancór, and 80,000 for Cochin, annually : this becomes an important sum to the native princes, who pay, as a subsidiary demand to the company, the immense sum of 800,000 rupees for Travancór, and 250,000 rupees for Cochin.

*Villakulai.*—This station is about fifteen miles north of *Khoda-mangalum*, situated on the banks of the great Malleatúr river, which rises in the Gháts at a distance of about 160 miles from the sea-coast of Malabar. At the head of the Gháts is the source of the Iruári river ; that part of it below the Rapids of Magrechall, at the foot of

the Vemban Ghát, is very serpentine, and may be considered, from the heights of the hills on each side, from the numerous waterfalls and immense rocks, one of the most splendid and magnificent parts of the Gháts. The banks of the river are covered with some of the largest trees that can be imagined, and the hills rising, as it were, into the clouds, and wooded to their summits, while below, the falling river rages with the greatest impetuosity until it unites with the Malleatúr, about fifteen miles east of *Villakulai*, from thence it continues its course into the Alwyr, that being about forty miles west of *Villakulai*, and then discharges itself into the backwater of Cochin, about sixteen miles north of the town. It is only between the hours of ten and two o'clock that the sun's rays are felt on the river Iruári, consequently it is delightfully cool, and vegetation is in a truly flourishing state. On its banks the forest-trees of every description are splendid and numerous; many of them may be considered valuable for naval purposes; hundreds of them are to be found from five to six feet diameter, and from 70 to 100 feet long. The perilous situation in which we were placed prevented our ascertaining the qualities and description of these trees, and it was not prudent to remain there at the period of the rapids. The number of wild beasts, also, which infest these forests, and the want of a knowledge of the country on the part of our guides, precluded the possibility of obtaining more than a casual and passing account.

The valuable information obtained from Captain Robert Gordon, who was of the party, and his local knowledge of the country, from his inspection of the forests, has been of much importance to the task I had to perform, and I cannot but feel myself much indebted to that gentleman, and particularly for the specimens of timber he procured me from time to time while at Cochin; and, in justice, I must state, that his majesty's service is greatly indebted to him for the assistance given in the building of the ships of war at Cochin.

We are now arrived at another station, *Modelacombin*; it is distant from *Villakulai* about twenty-five miles in a north-east direction, over hills and through deep glens and valleys, affording the most pleasing and romantic scenes. It is situated on the top of a conspicuous part of the Gháts, east of Cochin, and about 3500 feet above the sea: before we reached the summit of these hills, for the last seven miles our journey was very toilsome, as the ascent was on an angle of from three to five inches in the foot, on loose gravel ground, through nullas that had been formed by the course of the torrents from the hills, our guides and coolies being obliged to clear a way for us through the jungles, brushwood, and cane.

On reaching one part of this forest, through a beaten path of about a mile in extent, we came to a spot that opened to our view a wild scene, where there was not a blade of vegetation to be found below the tops of the stupendous trees, and it almost appeared as if the vegetable and animal creation was unknown: beyond this was a thick jungle, with a running stream at the bottom of a glen. Here we were cautioned by our guides to be on the alert, it being known by the name of the Elephant Hill or Pass; a strong putrid vegetable stench was here very offensive. We now directed our course in a new line, and on the road fell in with three elephants of immense size; but on our party collecting, shouting, and discharging our guns, they took to the thick jungle, breaking the small trees in their progress as if they were rushes, and making the forests to ring with their noise. It has been said by many that the royal tiger is not to be found in Malabar. On this hill we saw one of a large size, and a few weeks since Captain Lethbridge, of the Cochin government, shot one, the skin of which measured nearly eleven feet from head to tail. The dread of the natives from these monsters which infest this part is greater than for any other wild beast, and as they are always supposed to select a straggler of a party, the natives of the hills at all times travel in groups, and, on the approach of a tiger, set up a yell, and close upon the marksman of the party, who is, in general, a good shot with a matchlock, and rarely or never misses his aim.

Having before mentioned the name of Pandian Khodir, the chief, I shall now state a part of the heroism of the father of this man, who not long since was on the look out for timber with four of his subjects, one of whom was taken off by a tiger: the chief, observing his situation, rushed to his assistance, armed with a bill-hook knife only, the remainder of his party following him. Poor Khodir, and two more of his party, were torn to pieces, and only one of them was left to tell the tale — this man was one of our guides, and who carried the marks of his valour.

In this forest I saw a tree named Chani Marim, 45 FEET in *circumference*, and *upwards* of 120 FEET *high*, without a branch within 60 feet of the ground. The savage state of this country, the distance from the coast, and the many other difficulties which have been already stated, render it impossible ever to remove the timber it produces. The beauties of the "Tunda Túta Nulla" are such as must strike the European, as well as the native, with admiration and even terror, from the tremendous fall of water from rock to rock as far as the eye can discern.

At the top of this hill we caused a tree named *marda* to be felled;

it was about two feet and a half in diameter, and about forty feet long; it was taken off by the stream with the greatest velocity, and soon stripped of its limbs. This will account for the number of teak trees of large dimensions that are cut into short lengths as before stated, and shews the impossibility of getting them otherwise to the coast. At this period the rain poured in torrents, with the most tremendous thunder and lightning, and this day's journey and its proceedings I can never forget.

About twenty-five miles from the *Malletir* river we found about 300 teak trees which had been washed from the hills by the *Tunda Tuta* stream from a height of at least 3400 feet; nearly all were of large dimensions, and cut into short lengths: we also saw many firmly fixed between the rocks, which can never be removed without great labour and blasting of the obstructions with gunpowder.

The next station we came to was named *Purraacanum*, on the banks of the *Iruári* river, and about twenty-six miles east of *Modelacomben*, over a heavy and impassable part of the forest of *Iruári*; this may be considered the highest part of the Gháts; on the coast it abounds with large forest-trees which can never be removed to the coast. The face of the country is much the same as that of *Modelacomben*, and, from its distance from the coast, little hitherto has been known of it to the governments of Cochin and Travancór. Here they also have doubts as to the boundary line of the two countries, it being defined only by the *Iruári ridge* of the Gháts; consequently great exertions are making to prove to whom it belongs, which will be very important from the quantity of teak timber it has on the side of one of the western hills.

The Travancór government appears to have the just claim to it, and in full confidence of such, they are about to prove its value, and the possibility of getting the timber to the coast of Malabar.

Here we felled a teak-tree that was *seven feet* diameter at its butt-end, and at sixty feet up it was about twenty inches diameter. The teak of these forests is very different in every respect from that on the higher or western hills; it is soft and more free, and very much lighter in weight, which is occasioned from the depth of rich vegetable mould on which it grows, and accounts for its immense straight dimensions. This timber is well suited for plank and thick stuff if it could be cut and got down the rivers, but which also appears to be impossible.

These hills are much infested with wild beasts of every description; the elephants are very large. It is the general opinion in Ceylon that those of that country are the largest in the world; but

the elephants of southern India are equal, if not larger than any to be met in that country.

Our next station was at *Patenapara*, which is south-east of *Purra-canum* fifteen miles, on the banks of the river, then at *Chatumpara*, twelve miles south-east of *Patenapara*, and then at *Kelleparambu*, six miles from *Chatumpara*, in the same line of direction. All this part of the forests abounds with timber. The whole of this part of the river is most beautiful and picturesque, and for a distance from three to five miles it does not exceed one quarter of a mile in width, when it opens occasionally to about three quarters of a mile. The depth near the waterfalls is irregular, but generally from fifteen to twenty-five feet at the period of the full height of the river, or during the monsoon. The hills on the banks of the river form an angle from twenty to fifty degrees, their summits reaching the clouds.

It is only during the land-wind that any part of the Gháts can be seen, they being completely enveloped for three months in the year. About the month of November they display the most magnificent sight from the coast, and are the admiration of all who pass the coast of Malabar during this period of the year.

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*Remarks on the Northern Ports of the Malabar Coast, in the Province of Canara.*

*Mangalore*, or *Corealbunda*, is situated in  $12^{\circ} 50'$  north, and  $75^{\circ}$  east, in the province of Canara: it has a bar-harbour, and, at low-water, has a depth of six feet on the bar; on the full and change of the moon it flows about 6 feet, making about 12 feet water at that period. Within the entrance there is about 30 feet depth, where the native vessels generally anchor, the largest of which do not exceed 150 tons. They are principally the *boutillas* from the northward, and export cargoes of timber, rice, &c. Such other vessels as are considered to have too much draught of water for passing the bar, receive their cargoes in the roadstead, the anchorage being about three miles off the port. At any other time than high-water there is a heavy swell on the bar, particularly so when the sea-breeze is blowing. The present entrance is about three quarters of a mile south of the flag-staff and custom-house, near which is the general landing-place. The channel for boats within the harbour is in the middle of the river, on either side of which there is not depth sufficient for boats to pass at low-water.<sup>1</sup> The south-east arm of this river derives its source from the Western Gháts, near a pass in the Mysore country, which is about

<sup>1</sup> See *Mangalore vessels*, in the first Number of the Royal Asiatic Society's Journal.

eighty miles from Mangalore, eighteen of which are navigable from about September to May, or during the north-east monsoon. In the south-west monsoon the heavy rains swell the river, and the torrents and rapids render it impassable; during this period, also, the coast is seldom approached nearer than thirty miles. It may be interesting to give the following extract from a journal kept during the south-west monsoon, which set in on the 5th June, 1818.

“ From the 5th to the 10th June, light showers only; 11th, the rain set in heavily, and continued to the 11th of July, almost without an interval of more than one hour at a time: the river swelled, and the rapids were exceedingly violent. July 31st, rain continued, and very heavy at night. From 1st to 8th of August, continued heavy rains, night and day; 9th to 12th August, cleared up a little; on the 13th and 14th, stormy, with rain, from the south to east, in torrents; 15th, the south side of the river, from its rapid course, impassable. On the 16th, continued rain, the river risen from fourteen to sixteen feet above its usual level. The oldest inhabitants have no recollection of such a vast body of water at any former period. In the cloth bazar of Mangalore, it has risen to upwards of two feet. Huts, houses, cattle, and much personal property washed away, and great damage done to the banks of the river. 17th and 18th, cleared up a little, when a heavy gale of wind set in, with tremendous rain from west-south-west and south; on the 22d, the river again overflowed the country, and another destructive torrent passed over a large tract of it, which was in high cultivation; and the town of Mangalore was again inundated. It is very surprising that no human life has been lost in the town. The river presented a grand but dreadful spectacle—animals of all descriptions, wild and tame, ships’-masts, forest-woods, and masses of buildings, being daily hurled down its rapid course. On the 28th of August its fury abated, and it continued moderate till the 1st September, when it again set in at noon, and lasted till the 3d. The weather was now alternately one day fine, another foul, with heavy rain at night. Perhaps no country in the world has experienced such continued and heavy rain, and such extraordinary swelling of its rivers, as on the coast of Canara, which has not less than twenty-nine rivers, and ten nullas, within a distance of two hundred and seventeen miles.”

At this season the timber from the forests is brought down, as before described; and from September to January is the period for getting it to the depôt at Mangalore for sale. The rivers, which, when the rapids have abated, become as canals only, are sometimes dammed up, until a certain flow is obtained to help the floating of the peon-

masts and timber from the forests to Burutwall, from whence to Mangalore the river is navigable, and but little aid is required more than to receive and raft the timber for the dépôt-station.

From the flatness of the sandy shore, want of water in the river, and general inconvenience of the port for ship-building, all the vessels are built at Cochin. The following account of peon-masts, with their prices, is, perhaps, the most important advantage to be looked to, as regards the navy and merchant ships of burden.

*List of Peon Spars for the following Classes of Ships, shewing their Dimensions and Market Price.*

Length of Spar.	Diameter convertible to					Guns.	Applicable to a	Rupees.	Annas.	Pice.
	Partners.	Hounds.	Lengths.	Diameter.						
				Partners.	Hounds.					
Feet.	Inc.	Inc.	Inc.	Inc.	Inc.	No.				
81	30	21	80	28	20	74	Mizen-mast .....	632*	2	0
81	33	25	81	30	22½	36	Fore-mast .....	718	3	0
86	30	25	84	28	25	36	Mizen-mast .....	690	0	0
77	26	22	76	24	20	20	Main-mast .....	546	1	0
73	25	21½	70	23	20	20	Fore-mast .....	402	2	0
56	20½	16½	55	18	15½	20	Mizen-mast .....	299	0	0
80	28	24	80	24	22		Brig or sloop's main-mast	603	3	0
80	28	21	74	26	19	36	Ship's bowsprit .....	603	3	0
68	25½	16	54	23	13½	20	Do. do. ....	143	3	0
75	23½	Root.	70	22½	21 14	74	Ship's fore-yard .....	433	1	0
74	22	13	73	24	21	36	Ship's main-yard .....	346	0	0
65	22	16½ 13½	65	22	16 11	20	Do. do. ....	287	2	0
86	36	33	82	33	30	36	Ship's main-mast .....	876	0	0
76	36	22	67	33	20	74	Ship's bowsprit .....	650	0	0
82	25	24	51	23	20		Brig or sloop's bowsprit...	490	0	0
71	28	24	68	24	22		Brig or sloop's fore-mast	490	0	0

(Exchange 8½ rupees the pound sterling.)

The north-east arm of the river extends to about the distance of twenty miles only, and is exceedingly shallow, even as low as Man-

\* To this sum 12 per cent must be added for port charges, if not for the use of his Majesty's service.

galore, where it is fordable at low-water. Between this and Gurrock-púr, which is a distance of ten miles, it is only navigable for small canoes; and during the south-west monsoon, its rapids are grand beyond description, arising from the overflow of the rivers and lakes that descend from the Canara country. From this arm of the river little or no advantage is derived for the conveyance of timber, its principal use being the cultivation of rice and the cocoa-nut. The western bank of this river runs parallel to the sea coast, and may be considered to be formed by the sand thrown up from the sea coast, and the washing down of the rapids.

The former entrance of the river was, at one period, about three quarters of a mile to the northward of the present, and opposite the town and flag-staff, where now it can scarcely be traced, the space being filled up with sand, and making a continued line with the beach on the coast.

The town of Mangalore is built in a scattered way; the houses are of an inferior description, and little better than huts, surrounded with cocoa-nut trees, which shade them from the sun, and shelter them from the severity of the monsoon. The trade of the port is principally the export of rice and timber; the former is considered of a good quality, and it is in abundance. Stock and cattle are scarce, and of an inferior description, being procured from the inland country, as also the general supplies of the port.

The inhabitants are Hindús and Musalmáns, and various descriptions of people from other parts of the coast. Their number is estimated at about 30,000; they are a well-grown, good-looking people. The climate is considered healthy, and the government of the country is that of the India Company, with its various officers, as in other parts of the Company's dominions.

The several forests in Canara, which are about fifty or sixty miles east of Mangalore, are as follow: the Sonbimonney, Galdmolly, Bargey, Combar, and Gondea. These forests abound with peon-spars of large dimensions, many of which are sufficiently large for the lower masts of sixty-gun frigates. They have not been much explored, and from the want of roads, and other difficulties, many of the largest trees have not been brought down to the coast.<sup>1</sup> In these forests some few teak-trees are to be found, but generally of small dimensions, and many sorts of jungle wood, but which are of little value.

The forest of Neiliesier, south about fifty miles, and seventy from Mangalore, is but little known. From recent surveys it is said to abound with teak of large dimensions, and peon mast-trees, but which

<sup>1</sup> For further particulars see the Tables of Spars.

are rather small compared with those of the other forests. The produce of the Neiliesier forest is shipped in this and the Cavaye rivers, and sent to Bombay by the Company's conservator.

Onnór forest and port is north of Mangalore about 120 miles. This port, in the time of TIPÚ SULTÁN, was a place of some considerable importance, and in which his naval depôt was established, consequently the teak-timber that was adjacent has been nearly expended; but the jungle-woods are to be found in abundance. The names of the forests are the Todrey, Gonguele, and Sedashaegar, which possess every facility for conveying the timber to the Onnór river for shipment. From these forests great quantities of timber are sent to Bombay, and have been used in the building of the ships of war for his Majesty's navy at that port.

The forests in the Mysore country, in the province of the Kúrg Rájáh, named *Kolosóm-pagi*, is situated south-east of Mangalore, and a forest of six or seven miles of hill, principally covered with teak, with some few peon-spars of large dimensions, suited for masts of large ships; but there is great difficulty in getting them to the rivers, from the many obstructions of the jungle, which, with the distance of land-carriage, has occasioned a general want of knowledge of this forest, which is said to abound with valuable teak.

*Koromcul* forest is about thirty miles east of Mangalore. This is one of the forests from which the peon-spars are procured in great abundance for the market at Mangalore.

This work of destruction is conducted by a company of Parsee merchants, who take a certain number of the natives from Mangalore at the proper season for felling, and, without consideration for the future, cut all sorts of peon-spars, saplings as well as large trees, to the great injury of the forests. There were hundreds of small spars from five to nine inches diameter, and thirty-five to seventy-five feet long, actually decaying on the beach at Mangalore at the time I was there; from which circumstance, in the course of a few years these valuable forests must be exhausted. The whole of this trade is in the hands of a combined party of these people, who never fail to take advantage of any particular demand that may occur.

All the masts and spars that are required for Arab and Persian vessels are procured from these people. The largest I have seen were about ninety-five feet long, and three feet two inches diameter. Few are brought down to Mangalore of these dimensions, from the difficulty that exists in getting them to the rivers; as the land-carriage is from one to five miles, over a country that is hill, dale, and jungle, and to be performed by men. They form skids, and make an inclined

plane across valleys, and with the aid of purchase-blocks and tackling, pull them for miles before they reach the rivers ; when there, perhaps they cannot be floated, or, if floated, of no avail, as the waters may prove too rapid, or, on the contrary, not of sufficient depth for getting them down.

The peon of the Mysore forest is considered the best quality of mast-peon on the coast ; but, from the difficulty of procuring it, the price is much more than other sorts from the neighbouring forests.

*Calicut* is the next important port, south of Mangalore : it is situated in  $11^{\circ} 18'$  north, and longitude  $75^{\circ} 50'$  east. This port has no harbour, and is open to the coast of Malabar. The town is of no importance to the navy, further than being the residence of persons who are connected with the Company's service. The forests which are named the *Ernaud*, are situated from twenty to fifty miles from the coast, and produce a quantity of valuable teak-timber, which is generally exported to the naval yard at Bombay.

The teak of Southern India is considered of the best quality, and in great abundance, and is the property of the India Company, under the control of a conservator of the forests. The town is nothing more than a native village consisting of scattered huts.

The principal part of the forest-production is exported from the Baypúr river, which is about nine miles to the southward. Here is a good harbour for small native vessels that can pass the bar, on which there is only ten feet water at the highest tides. It is of great extent and utility, and offers great facilities for the shipment of timber, that is brought down, during the monsoon season, the numerous rivers and nullas which descend from the Gháts ; but such timber as may be collected for shipment on board the vessels in the roadstead, which is about two miles off the shore, is attended with much labour and expense in rafting it to the vessel. In many cases they are obliged to attach bamboo rafts to buoy it up, the specific gravity of this teak, when green, being nearly equal to that of water : from this circumstance the expenses are increased nearly forty-five per cent by the time it arrives at Bombay. This will be better understood by the following :—The value of a candy of Canara timber is about eight rupees and a quarter (for twelve feet and a half), to which must be added from four to four rupees and a quarter for freight ; to this sum twenty-five per cent is placed for disbursement, if used by the Company in vessels of war, or others, which makes it nearly double the price of that at Cochin, if worked on the spot.

At this port there are great quantities of valuable timber, as also at Panami, that is highly valuable for the largest ships of war, which

cannot be shipped this year, on account of the immense quantity that was brought down during the last monsoon, in consequence of the great fall of rain, it being considerably more than has been known for years past; and many large trees were washed down from the hills, that it was expected could never be removed.

To the southward of Calicut about thirty miles, a new and extensive forest had been commenced upon. It abounds with teak and other woods of a most useful description; many of them are named jungle-wood, which, in some cases, may be said to be valuable, if we may judge from the appearance of some of the canoes and country boats; some are from twenty-five to thirty feet long, and three to five feet diameter.

The India Company have made an experiment by building a vessel of the kyndle-wood. She was built in 1809, and in 1822 the vessel was said to be in an apparently sound state; and I was informed, that in the opinion of many the experiment had fully answered.

The Baypúr and Ponany rivers, during the monsoon unite with the backwater of Cochin, into which some part of the timber is floated.

At Baypúr there are the remains of a windmill, which was erected to work circular saws for cutting planks, but from the want of capital and due encouragement, the person who erected it failed in his object, and the mill has now fallen into decay. There is also a sail-canvas manufactory, which supplies the canvas generally used for the sails of native vessels.

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#### *Remarks on the Koir of Malabar.*

The two clusters of islands, the Maldive and Lacdive, which are situated about eighty miles to the westward of Malabar, belonging to the Bîbí of Cannanore, produce the best koir. Angengo, Porcaud, Paliport, and Cochin, also produce good koir; and it may be considered equal to that of the islands, provided proper care be taken in its selection and manufacture. It can be procured in any large quantities at the islands before named, by an arrangement with the dewan, or minister, of the Bîbí of Cannanore. They only supply it in the yarn for laying it into rope. It is an article of great export to Bengal: during the season several vessels are freighted there, and much is imported to the coast of Malabar by the Maldive and Lacdive boats, which are about twenty or thirty tons' burden. They barter their cargoes for the general supplies of the islands. It is estimated that

from 3000 to 5000 candies (of 650 lbs. English each) may be obtained annually.

Maldive and Laccive yarn koir is sold at from twenty-five to thirty rupees per candy of 600 lbs. Dutch, or 650 lbs. English weight. It has been as high as sixty rupees per candy in time of war. Angengo, Porcand, Paliport, and Cochin koir is from fifteen to thirty rupees; it depends upon the quality and manufacture of the article. The manufacture of the koir of the islands is performed with much care, the yarn being small and regular, and is that which is generally used in the ships employed in the country trade, while that produced at the other ports of the coast is applied to the uses of the native and Arab vessels of the coast, such as *dows*, *bugarows*, *pattamahs*, &c. it being cheaper than the other sort. The general expense for laying the yarn into rope, increases the price of it about seven rupees per candy. It is at all times the best way to get a supply through the master-attendant of the port; for him to get a "muster," or sample, made; and not to take the article if not strictly according with it. The native dealers never fail to play all sorts of tricks and deceit in the manufacture of rope, by laying it on sandy ground, which not only increases its weight, but injures its quality.

If it is asked why not advertise for a contract to supply a certain quantity? I must reply that *publicity*, or an advertisement *in India*, to procure any such article as timber, koir, &c. is the very step that would *raise* the *price*; for, on every occasion, the demand for an article of marine stores is taken as a hint to regulate the price and to raise it in the market, even to the amount of *cent per cent*, and native merchants never fail to take this advantage and to form a combination.

Except in the south-west monsoon, or between the months of May and September, when the coast is shut against any communication with vessels, few approaching nearer than thirty miles of the land, the several ports of Cochin, &c. afford every facility that can be wished for procuring freight to Bombay northward, to the island of Ceylon south, and round to the Coromandel coast, and on to Calcutta.

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#### *Remarks on Canvass, Log-lines, Twine, &c.*

At Baypúr, the best canvass is manufactured; it is said to be superior to the Bengal in point of durability (it is close and well-wrought in manufacture), but not in colour; the dark greenish tinge it has is very much against its general use.

At Paulghát-Cherry, about seventy-five miles north-east of Cochin, a canvass is manufactured from cotton-yarn; it is generally

coarse and open in the thread, and remarkably light and soft, and used for the light sails in native vessels and boats only.

The Baypúr canvass is not much known from its limited manufacture, which is only about one hundred and fifty bolts per month. The twine and log-lines, also, manufactured at Baypúr are said to be good, but the supply is limited.

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#### *Remarks on Peon-Spars.*

The light-red peon from the forests of Coromandel and Mysore, which can be procured at the port of Mangalore, on the Malabar coast, is considered the best of the growth of India, for the general purposes of lower-masts, topmasts, and yards. Supplies are obtained from the hills by Pársí merchants every season, and may be had of every size.

The peon-masts, as to strength, compared with Riga, &c. spars for masts, are superior to any; the weight of those of the proper sort is about the same as Riga fir, and their durability is very great; a set of lower-masts would probably last for fifteen or twenty years.

Supplies of spars may be procured at Mangalore from November to March, but January is the best period. The transaction should be managed without any previous notice, nor should the number required be made public, but advantage should be taken of the native lists of prices which the merchants will present to the purchaser. If the demand is made public, the market-price will advance and combination follow.

The native vessels of the coast will take to Bombay about two large and three small spars for a cargo, and a raft of three or four in tow at the proper season of the year. Should the spars be required to be sent to Calcutta, or to England, a large mast-ship, with a raft-port at least three feet square, would be required; this would be expensive, and in India difficult to procure.

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#### *Remarks and Observations on the following Trees, &c.*

The following descriptions of timber are from the coast of Malabar, from the forests of Travancór, Cochin, Malabar, and Canara, which extend from Cape Comorin southward, to Onnór, the north part of Canara, being an extent of about 500 miles: that of Travancór and Cochin being the property of native princes; and the northern forests,

that of the East India Company, excepting some part of the province of Canara, which belongs to the Kúrg Rájá, producing principally the mast-peon, which, in India, is considered the best sort.

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*From the Forests in Malabar and Canara, &c.*

*Marda*, or *Marthu*, in Tamil and Malayála, and *Martha* in Canataca.—This tree is of large dimensions and perfectly straight; it is of a dark-brown colour and very close-grained; many trees are to be found on the banks of the Maletúr river, of a hundred feet long, and about twenty-four inches in diameter. From the apparent qualities and native uses of this wood, there is no doubt that it might be converted with advantage into plank, thick-stuff, beams, &c. for ships, where strength is required, and where weight is of little consideration. It runs from sixty-two to seventy pounds the cubic foot, when green: the native carpenters use it with the teak for beams in the pagodas, &c.; it is considered durable; and contains a quantity of oil.

The forests in Travancór abound with trees of this sort, which can be obtained on the rivers' banks,—an important consideration in the expense of procuring such valuable wood.

There is an inferior description which is named *Villai Marda*, or white marda; it much resembles the former tree, excepting in size and in leaf, both of which are considerably smaller, and it is said by the natives to be inferior in quality and durability; it is more like the English oak in grain than any wood I have met with. These trees, and also the former sort, are found in patches of some hundreds together, and generally on the banks of rivers.

There is another sort named *Villai Katti Marda*, which is the *white lump marda*.—This tree grows to about twelve or fifteen inches in diameter, and twenty-five feet long. In Malabar there is another sort, which is well known to the natives by the name of *Kalu Vitte Marda*, and may be considered of the same quality as the last sort. I should have said this is the *dark stone marda*. It is used for the frames of vessels, and many other purposes, for which it is said to answer well.

*Tambogum* in Tamil, and *Vanponga* in Malayála.—This tree is remarkably heavy and close-grained, and may be considered very similar to the timber now imported into the dock-yards from Africa, named *African Teak*, No. 1. It grows from thirty to fifty feet long, and about thirty inches in diameter, and is used by the natives where strength and durability are required, and weight is of no consideration. It produces a fruit or berry, which the natives reduce to meal, with

which they make cakes, curry, &c.; the berry is much like coffee in shape and size.

*Erupuna* in Tamil, *Eremburapan* in Malayála.—This tree is of a dark-brown colour, with a yellow tinge, and in texture resembles the marda; it is heavy and strong, grows to about fifteen inches in diameter, and from fifteen to eighteen feet long. It produces a small black fruit which is of no use. The natives prefer it to other woods for rice-beaters, from its weight and texture.

*Vayngie* in Tamil, and *Mulu-Vengah* in Malayála.—This tree is of a dark-olive and light-brown colour; it is very strong and tough; it sometimes grows crooked, and to about two feet in diameter, and from thirty to thirty-five feet long: it is used by the natives both for houses and vessels. This sort has a single leaf in the shape of a pear, but the *Villa-Vengah*, which is the white or light coloured, has a long leaf, and grows to about eighteen inches in diameter, and twenty feet long. The natives prefer this wood for boat-crooks, and the curved parts of the frames of pattamahs and native vessels.

*Tawní* in Tamil, *Taniki-Marum* in Malayála.—This tree grows to about three and a half feet in diameter, and from thirty to forty-five feet long; it is of a whitish colour, and is used by the natives for catamarans, canoes, &c. It produces a fruit which the native doctors use as a purgative in cases of fever, &c.: the timber is not durable or of much use.

*Púna Balle* in Tamil, and *Púnga Marum* in Malayála.—This is a beautiful tree and of much value; it grows to about two and a half feet in diameter, and from ten to fifteen long, spreading its branches to a great extent, and into curves of various dimensions, which are valuable for native uses, particularly in building country vessels. It produces a fruit from which oil is extracted, and used for lamps, &c. The Arabs prefer this oil to any other to mix with chunam, for the purpose of covering the bottoms of their vessels to preserve them from worms; it is also used for the purpose of curing rheumatic pains, by being applied warm with friction.

*Chiní* in Tamil, *Kasawha* in Malayála.—This is a tree which grows to about eighteen inches in diameter, and twelve feet long; it is heavy and close grained; it produces a small berry much like pepper, which, as well as the wood, is not of much use.

*Shiní* is the Tamil and Malayála name of a tree commonly known as the *Buttress Tree*. It grows to an enormous size. I saw one forty-five feet in circumference, and one hundred and ten feet long. It is a soft, spongy sort of wood of a white colour; not durable, or of much use, unless it is oiled, when it may last for five or six years for canoes

or catamarans, provided they are taken out of the water when not wanted. If it be kept in water, two years will render it water-logged and useless.

*Karangely* in Tamil, and *Karakili* in Malayála. — This wood is very tough and of a whitish colour, and used by the natives for general purposes; many of the planks of the native boats are of this wood, and the edges are sewed together with koir, with wadding on the seams, and yarns crossing the joints, for the purpose of making the boats pliable in the surf, as it would be useless to fasten them with nails, &c. for the services for which they are required.

*Ven-Teak* in Tamil, and *Bellinger* in Malayála. — This tree is much used by the native carpenters for house-building and masts for dowses, pattamahs, and other country vessels. It grows to ninety and one hundred feet long, and from twelve inches to three feet in diameter; it is perfectly straight and without branches, excepting at its top; the leaves are small and very thick. This wood is not so durable as the peon, but it may be considered of the same texture, although it is very much lighter in colour, and in this respect much resembles the American red oak.

*Karuatagarah* in Tamil and Malayála. — This tree is a close-grained firm wood; when old it resembles the *Vitte Marum*, or black wood of Malabar, known in England by the name of Bombay Black or Rose Wood. It grows from twenty-five to thirty-five feet long, and two feet in diameter; it is used for furniture and house-building: it grows straight, and is found in patches on the Gháts, east of Cochin.

*Khounay* in Tamil, *Kakay* in Malayála and Canataka. — This tree grows to thirty feet long, and from twelve to eighteen inches in diameter; it is curved in growth; is rather close-grained and heavy; and very much resembles the *Maragosa* in Ceylon; but it is rather scarce on the coast of Malabar. It produces the pod known by the name of Cassia Fistula, or Banda-lotte, which is considered an excellent purgative in cases of habitual constipation, both by natives and Europeans.

*Kalayum* in Tamil, and *Condle* in Malayála. — This tree grows from ten to fifteen feet in length, and from twelve to eighteen inches in diameter; its branches at the top are very thick; the wood is of a reddish cast, and much like the pencil cedar; it grows on the banks of rivers, but is not of much value for any purpose. The tree produces a fruit which I could not find was of use either to man or beast.

*Karincolu* in Tamil, and *Karinjurah* in Malayála. — This tree grows to twelve or fourteen feet long, and twelve inches in diameter; it is of a whitish cast, and not of much use or durability. It produces a fruit which the natives eat in a raw state.

*Myhílenah* in Tamil, *Mylelu* in Malayála. — This wood is of a greenish tinge, and very close-grained; it grows to about twelve or fifteen feet long, and two and a half feet in diameter. It produces a fruit like green pepper; its leaves resemble the mangoe: the wood is generally considered strong and durable, and the native carpenters procure from it the small crooks and branches for the knees and timbers of boats, &c. and the large limbs for the frames of native vessels. The tree is scarce in the north part of Malabar and Canara, and not known in Ceylon.

*Padrí*, the Tamil and Malayála name of a tree which is about twenty feet long and eight inches in diameter; it produces a small white flower in shape like the fusca, or rather the snow-drop, which has a most powerful fragrance; they are prescribed in infusion as a cooling drink in fevers. The leaves, if steeped in a portion of lime-juice, make a most grateful and cooling drink. This is one of the sacred trees, and considered the property of the pagoda; and the flowers are held sacred for the purpose of decorating the dancing-girls' heads on days of ceremony.

*Anakuru*, the Tamil name of a tree which grows to about thirty feet long, and eighteen inches in diameter; at times the natives make small canoes of it, and use it in house-building: it is not of much value.

*Nilam-pala*, the Tamil name of a tree that grows to about twelve or fifteen feet long, and fifteen inches in diameter: it is not of much consideration; it produces a small fruit which is used by the natives medicinally.

*Vengendah*, the Tamil and Malayála name of a tree which the natives use for catamarans and rafts for heavy timber; it is remarkably soft and spongy, and not of much use or durability.

*Nila Pala*, the Tamil name of a small tree, the wood of which is very close-grained; it is used in house-work. The root of this tree is used as a medicine, and applied in cases of rheumatism (which are very prevalent after the monsoon sets in); this tree is only found in Travancór, and there it is sacred.

*Nelu*, the Tamil name of a tree which is of a dark-red colour, and is considered a good wood for boat-work; it produces a small fruit which the natives eat in a raw state.

*Madu-Kah*, the Tamil name of a tree, the wood of which is yellow and very small; its grain is close and heavy: it is not of much use or value.

*Cheru-púna* in Tamil and Malayála, which is the small-leaf peon. This wood is the real *mast-peon*, which is preferred for the

masts of ships or vessels. *Peon*, or *Púna*, consists of five sorts, all of which are similar in shape and growth; the largest sort is of a light bright colour, and may be had at Mangalore, from the forests of Corumcul, in Canara, where it grows to a length of one hundred and fifty feet. At Mangalore, I procured a tree of this sort that would have made a foremast for the *Leander*, sixty-gun ship, in one piece, for the sum of 1300 rupees, or 149*l.* sterling. *Peon* grows in the forests of Cochin and Travancór, but it is of a very inferior quality to that before stated; one sort is named the *Karapa Púna*, which is dark peon; another, *Malai Púna*, meaning the hill peon; and another sort, the *Vellai Púna*, or the white peon; this sort is small, not more than twelve or eighteen inches in diameter, and eighteen or twenty feet long. In Canara, another sort, named *Merchie Púna*, grows to twenty-eight inches, or three feet in diameter, and from thirty to fifty feet long; and is very much like American birch. It is generally defective and not durable; consequently it is never brought from the hills, for, when felled, it opens and splits at the top and butt for many feet in length. The weight of the peon may be said to be from forty to forty-eight pounds the cubic foot; but the lightest I have met with was thirty-four and three-quarters, and the heaviest fifty pounds, the cubic foot, when dry. The leaf of this tree is small and oval, about two by one and a half inches broad, and the fruit grows in bunches; it is about the size of coffee-berries; from this the natives extract oil, which is used for various native purposes.

*Kaludumum*, the Tamil name of a tree which is remarkably heavy and very close-grained, and much resembles the English pear-tree wood; it grows to about eighteen inches in diameter, and from twelve to fifteen feet long; it is used for purposes where strength is required. I should expect that it is not very durable, or that it is not to be procured in any quantity, as it is but little known.

*Velliellus*, a tree of little use; it is used by the natives for house work; its growth is small, and it is rather scarce.

*Chambogum*, the Tamil name of a tree, the most beautiful in appearance on the coast of Malabar; it is a very close-grained wood; and throws out rather a pleasant smell when cut. It is generally found in the forests of Travancór of about eighteen inches in diameter, and from twenty to twenty-five feet long; it produces a small round fruit which the natives use medicinally.

*Vellai Púna Pinu*, the Tamil name of a tree, which is the white peon pinu: it can be procured on all parts of the coast of Malabar. It grows to seventy and eighty feet long, and two to three feet in diameter; the natives use it for the masts and yards of dowses and country

vessels. It is more like the American white pine, and the upright yellow wood at the Cape of Good Hope (*Antinaguatis*), than any wood I have seen.

*Vembah*, the Tamil name of a tree which grows in Travancór; it is close-grained and of a yellow tinge, and grows to about twenty feet long, and fifteen inches in diameter; it is used for native purposes. The bark of this tree is steeped, and used by the natives in cases of eruptions in the skin; and also to purify the blood after fevers, for which it is considered most valuable.

*Vellai Venjáh*, the Tamil name of a tree, the wood of which is of a light colour, and very tough and strong, and is used by the natives for the frames of vessels, or where strength is required; it grows to about eighteen inches in diameter, and twenty feet long, and the small branches make good boat-crooks.

*Kamalah*, the Tamil name of a tree which very much resembles the wood in Ceylon named *Halmilile* and *Somendille*; its growth is about thirty feet long, and two feet in diameter; it is used for much the same purposes as the other jungle-woods, in vessels and house-work; and the crooks are similar to the last-named.

*Telle*, or *Payane*, the Tamil and Malayála names of a tree which is found on the coast of Malabar and in Travancór, about sixty feet in height, and two feet and a half in diameter. It is an inferior sort of pine, and is named by natives *Dúpi-marum*. It produces an inferior sort of *damah*, or resin, which is boiled down with cocoa-nut oil. When thus prepared, it is a substitute for pitch or resin, but very inferior. The wood is used for the masts of pattamahs, catamarans, canoes, &c., but it is not durable.

*Edanah*, the Tamil name of a tree that grows to about forty feet in height, and two feet and a half in diameter. It is very soft, and not durable: it produces a sort of gum, or resin, like the *Payane*. The wood is used for catamarans, rafts for heavy timber, canoes, spars for sheds, and other purposes.

*Tanna*, the Tamil name of a tree which is hard and heavy. It is used by the natives in house-work, and for implements of agriculture when it can be procured. It is very scarce.

*Kathukeví*, the Tamil name of a tree which grows in Travancór. It is very buoyant, and is generally used for rafting the heavy timber from the forests; and also for catamarans and canoes, as it is easily worked, and obtained without much trouble, and of all dimensions. It is not very durable.

*Chauna*, the name of a wood which grows in Malabar. It re-

sembles the English beach, and is used by the natives for house-work. It is not durable, nor is it remarkable for its growth, quality, or uses.

*Chari-maram*, the wood called *ebony* in England. (See Ceylon woods, &c. named *Acha-marum*, *Nuga-gaha*.)

*Beati-maram*, or Bombay black-wood;—a wood which grows in Malabar and Travancór to a large size; some trees five feet in diameter, and fifty feet long, have been brought from Travancór, but the wood is generally not more than twenty or twenty-five feet long, and from twenty inches to two feet in diameter. It might be procured in great quantities in Travancór and the Cochin forests. Much of this wood is used in England, and called rosewood. Its general uses in India are for house furniture: great quantities are exported to Bombay, Madras, and Calcutta, for that purpose.

*Kulbagí*, the name of a tree in Canara. It grows to fifteen or twenty-five feet in height, and from twenty-four to thirty-six inches in diameter. It is a close-grained, hard, and durable wood, and is used by the natives at Mangalore and Onnór for the keels and beams of vessels. It is of a dark colour, and is considered valuable.

*Jambau*, the name of a tree in Canara. It grows from two to four feet in diameter, and from twenty-five to forty feet in height. This wood, as also the *kulbagí*, is very scarce. It very much resembles mahogany, and is generally used for house-furniture.

*Boa*, or *Boé*, sometimes called *Poam* by the people of Malabar. This wood is much like the timber called in Ceylon *Palarí*, or *Pali*, and *Irambú*, or, as known by the English name, *iron-wood*. It is a strong, heavy wood, and is considered durable. It grows from twenty to thirty feet high, and from twelve to thirty inches in diameter.

*Tibelebú*, the name of a tree in Canara and Malabar. It is also named *Nambogum*. The wood is close-grained, and very durable for general purposes in house-building: the carpenters use it generally as a strong, durable wood. It may be procured in Malabar and Canara in quantities, from eight to thirty-six inches in diameter, and from twenty to thirty-five feet long.

*Tembow*, or black-heart wood. It grows in the Malabar forests to about eighteen inches in diameter, and from twenty-five to thirty-five feet in height. It is considered a useful wood by carpenters for general purposes in house-building; and for native vessels, and implements of agriculture.

*Ték*, or *Teak*, the Tamil and Malabar name of a tree which is well-known in India, and also in England, as the Indian timber which has been brought into use in the British navy at Bombay, Calcutta,

and Cochin. The following is a list of the ships of war built of this timber :—

*Ships of the Line.*—Minden, Cornwallis, Melville, Malabar, Wellesley, Ganges, Asia, Bombay, Calcutta, Hastings.

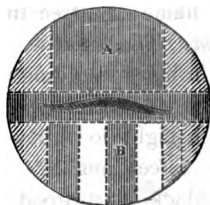
*Frigates.*—Salsette, Amphitrite, Trincomalee, Seringapatam, Madagascar, Andromeda, Alligator, Samarang, Herald.

*Sloops.*—Victor, Cameleon, Sphynx, Cochin.

It has been considered by many, that a ship built of this sort of wood would last good from thirty to fifty years, for which time, report says, many ships have been known to run in India. The old Milford Bombay ship, in the country trade of India, was the oldest and best-conditioned ship that ever came under my notice. She was built of teak-timber about thirty-five years before I saw her ; she had been constantly at sea, and only had a small repair during that period. She was built of the Malabar teak.

It is generally considered that there are three sorts of teak. That sort which grows to a very large size is of an open, porous grain, and very much resembles Dantzic oak : it is found in the forests at the foot of the Gháts ; in valleys where the soil is deep and rich ; and on the banks of great rivers. On the bank of the Iruári river, near the Gháts, about eighty miles from Cochin, I caused a tree of teak to be felled. It was seven feet in diameter, and at seventy feet from the butt it was twenty-six inches in diameter. It was not durable as timber ; but for planks and boards, such as the native carpenters use, it is preferred to any other of the small knotty woods.

It is a fact, which my experience in the country has taught me, that all teak-timber, above twenty-inches in diameter at the butt, has the *heart-shake* from end to end, and, consequently, requires much care to convert it to use ; which should be done by a saw-cut into the heart of the wood (as shewn in the annexed cut) and then either



• Section of the tree 2½ feet diameter, with the heart-shake shewn. The dotted lines mark the best method for conversion by sawing it.

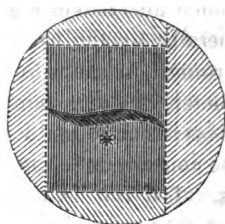
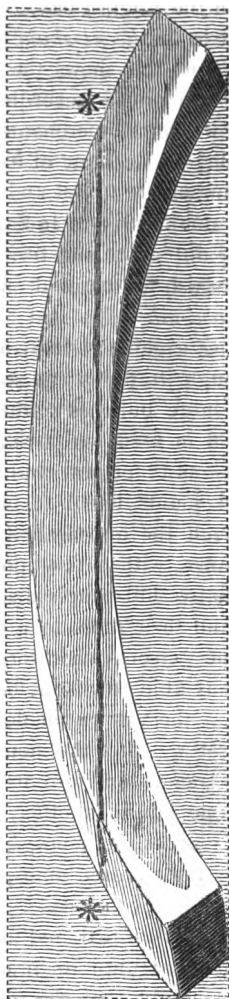
of the two parts might be used as timber (A) or plank (B). But teak generally grows straight, and, consequently, for the timber of a large ship its curve crosses the grain of the wood ; the shake runs through the timber on the outside at the head and heel, and, in this inside, it follows the curve in the middle, nearly breaking through to the surface.<sup>1</sup> This shake, of four or five inches broad, and an inch or an inch and a half open in the heart of the timber, must be totally

<sup>1</sup> See cut, p. 358.

destructive to it ; as must have been the case in the Minden seventy-four gun ship.

The next sort of teak on the coast is that which grows in the forest of the Gháts. It is curved, hard, and knotty, as the soil is not deep, its bed being rocks. This timber resembles in growth and appearance the English oak ; its weight is very considerably more than that which grows to the large size ; and the texture and durability of this timber is well known to those who are acquainted with the grain of woods.

\* Heart-shake of a curved timber cut across the grain of the wood.



\* The heart-shake shewn by the log being sided and converted from its full size.

Teaks will be found to differ in weight from thirty-nine pounds six ounces to fifty-two pounds fifteen ounces the cubic foot, when seasoned ; but the heaviest, when green, that I have found, were only fifty-seven pounds nine ounces the cubic foot. I am told some of the teaks from the Cochin forests weigh as much as sixty pounds the foot, when green.

The third sort of teak is procured from Pegu, Rangoon, Ava, and the Burmese territories. For ship-building it is very inferior to that of Malabar. It is generally considered, by persons unacquainted with the nature of timber, that " the teak from that country

is superior to any other in India : " this is acknowledged by competent persons so far only as regards the size of the tree, and the free and clear grain of the wood. There can be no doubt that it is better for the purpose of house-building, and the general uses of the

native carpenter, from the ease he finds in working it. This timber, as well as that before described, grows on a rich deep soil, and, consequently, its maturity is rapid and its dimensions large; but the texture of the wood is as different from that of the forests of the Gháts, as the American and Dantzic are from the English oak.

At Rangoon and Pegu this timber is split in the *heart-shake*<sup>1</sup> into two parts, which the natives call *shimbims*, and this shews the freeness of the grain of the wood. These pieces are priced according to their size; and this sort of teak is better known to the merchants and captains of the country-trade than any other, on account of its use for the repairs of vessels, or as sea-store of timber.

The teak may be said to be the most valuable tree in India. It produces a good oil, which is used with paint as a substitute for linseed-oil; and which also makes a good varnish for paint or wood, and is known generally by the name of *wood-oil*. The leaf of this tree is large and round, in shape resembling a cabbage-leaf, about ten inches in diameter, but very thin, although its fibres are strong. The blossom and berries are produced in large bunches: when in bloom, they may be compared to hops; when in seed, as to size, to a bunch of grapes. The nut is of a dark russet brown, and very hard: when ripe, it falls to the ground and plants itself. A forest patch of teak, when in full bloom, has much the appearance of a field of ripe corn when viewed from a distance, with a few spots of green interspersed; by this appearance the native hill-people discover the trees of teak at this season, and cut around their roots to prevent the sap from ascending the next year. The persons who work the forests of teak on the side of the hills are thus able to distinguish at a distance those trees from the others, and cut them down for floating to the *depôt*, which can only be done at the setting-in of the monsoon, when the rapids fill the *nálás*; and then the tremendous torrents dash whatever may be thrown into them from one fall to another, from heights of fifty feet at a fall, until at last it reaches the *depôt*, having been brought down by a circuitous route of one hundred miles, from a height of from 1000 to 2000 feet above the level of the sea.

Much might be said on the uses and durability<sup>2</sup> of teak and foreign timber; but it will be desirable to postpone that until its practical uses have been proved. There cannot be a doubt that the climate and temperature of its native atmosphere is the most favourable to

<sup>1</sup> See sketch, page 358.

<sup>2</sup> Experience proves, that teak ships, if kept in India, or within the tropics, in *actual service*, would, at the end of seven or fourteen years, be in a better state than if kept in *ordinary*, subject to the changes of the climate of England.

its durability. Its value, for the purposes of ship-building, does not consist merely in its durability; a still greater advantage is, that the ship is at all times ready for service, while ships of European wood, constructed with oak and fir, are constantly warping and crazy, and in forty-eight hours after the caulking of the top-sides are frequently as leaky as before: the health of the crew suffers, in consequence, at the change of the monsoon, from exposure to the damps of a tropical climate; and also, from this cause, the carpenter's crew are kept fully employed. But the teak ship, when well caulked, remains dry and comfortable to the crew; and is always an efficient ship for service. The many contradictory reports of sailors on the state of ships of war on foreign stations, is to be placed to the want of knowledge of the true state of facts. It is well known in the dockyards that, by a continual caulking of the sides or decks of a ship, the wood is so completely compressed on the seams and edges of the plank by the caulking-iron, that the oakum is forced through the seam into the ship, and that that seam can never be again caulked tight. From this cause the oakum in the seam becomes wet and rotten; and the ship's crew are exposed to the injurious effects of inhaling the putrid air through the openings of the ship's timbers. The confined state of a ship under hatches in a tropical climate, is well known to all who have been on board one in the heavy tropical rains and gales of wind when the monsoon sets in, and which last for days and weeks together.

*Viram Pilt*, or *Jackwood*.—This is the Tamil and Malayála name of a tree which is well known to natives and Europeans. It grows in the native cultivated grounds, and pays a duty to the government. This tree is of the greatest value to the natives, in consequence of its fruit, which forms part of their food. In Ceylon it supports the pepper-vine. In many places it is found two feet and a half in diameter, and from thirty to thirty-five feet high. In Canara this wood was preferred by TIPÚ SULTÁN for the Grab vessels built at Onnór, the naval depôt. In Ceylon, at Point de Galle, it is used by the furniture-makers for chairs, couches, &c., for which purpose it answers well; and, if polished with care, its brilliant colour is superior to that of mahogany. When worked and cut down it is yellow, but turns dark and improves by age.

*Myrole*, or *Mirole*, in Tamil and Malayála, is a wood of much value, but scarce. It is very heavy and strong, and grows to about twelve inches in diameter, and fifteen or twenty feet high. It is generally used where strength and durability are required.

*Curmbole* is the Malayála name of a wood from the forests in

Canara. It grows to about twelve or eighteen inches in diameter, and from fifteen to thirty feet high: it is used by the natives for house-work, and is considered a useful and durable wood.

*Dúp-maram*, in Malayála and in Tamil; it is also named *Nadenara*, and is to be found in the forests of the coast from north to south. It grows from sixty to eighty feet high, and from two to three feet in diameter. It is a light sort of wood, similar to the white American fir of New England. This is the tree which produces the best description of country damah,<sup>1</sup> or resin; but it is not so valuable as the damah from the island of Sumatra. The natives use the large trees as rafts, and as catamarans, and for house-building, and the small spars to make sheds and yards for the native vessels. So long as the moisture of the wood remains, it may be considered to answer these purposes; but when it becomes dry, it is very brittle and of no use.

At Cochin I formed the rafters and uprights of the roofs over the ships of war at that port of this wood, with the purlings of split bamboo over them, and cadjans (cocoa-nut leaves platted), all of which were lashed together by coir yarns. The amount of expense for a roof with sheds was about 350 rupees, or 44*l.* sterling.

One sort of the *Dúp-maram* is named *Maedenar*, which means long-stringed *Dúp-maram*. It grows to about sixteen inches in diameter, and sixty feet in height. It is not of much use or value.

There is another sort named *Paini Dúp-maram*, which produces a sort of resinous gum. This tree is found in the Cochin and Travancór forests, but is rarely cut down, as the damah taken from it is valuable, and when mixed with the wood-oil makes the *Paini* varnish. This is an article of export to China from Sumatra, where this tree also grows from thirty to fifty feet high, and from two to four feet in diameter, and in greater abundance than on the coast of Malabar.

*Devedah* is the Portuguese, Tamil, and Malayála name of a wood, known to Europeans by that of *Cedar of Libanus*, or Spanish cedar.—This tree is to be found from Cape Comorin, south of Malabar, to the north part of Canara. It grows to a large size, from eighteen inches to two feet and a half in diameter, and from thirty to forty feet high. This may be considered a good wood, and might be found useful with the heavy woods in ship-building. The texture of some trees is hard, and might be converted into good plank. It is much used by the natives for house-work and furniture. It is imported into Ceylon, and to the coast of Coromandel, from Pegu and Rangoon, and named *Chittigong wood*. I need not enter into any further detail of

<sup>1</sup> Damah is a resin used as a substitute for pitch for the seams of ships after caulking, &c. It is prepared with oil.

its qualities, as *cedar* is a common and well-known wood to all Europeans. There is also the *Vela Devedah*, or *white cedar*, which grows in the forests of Cochin and Travancór. It may be had in great quantities, and is said to be useful and durable. I know it to be a tough wood for boards, and plank for boats and vessels, for which purpose it is generally used, as well as for house-work. It grows to about two feet in diameter, and from thirty to thirty-five feet high: its grain resembles the red cedar, but it is closer grained and heavier.

*Headie*, the Malayála name of a tree in the forests of Canara. It grows from eighteen inches to two feet in diameter, and from thirty to fifty feet high. It is a close-grained wood, and is said to be durable; but it is rather scarce.

*Mangai*, or *Mangoe*, the Malayála name of a tree which is known throughout India by natives and Europeans. It grows to a large size, and produces a most delicious fruit. Many trees are found three feet in diameter, and thirty feet high. The wood is of a whitish colour, and is not durable or of much value. The natives make canoes of it. These trees are preserved for the produce of their fruit, which, when green, forms a part of the native food for curry and pickles. At times it is used medicinally, and is strongly acid.

*Angely*, or *Angilica*, the Malayála and Tamil name of a tree which grows to two and a half and three feet in diameter, and from fifty to sixty feet high. It is used for large canoes and snake-boats, and, if kept oiled, is very durable. It is also used for planks for native vessels, in consequence of its being very tough, to hold the yarns when the planks are sewed together, which is the case with all the flat-bottomed boats on the coast, where there is a surf on the beach, as at Madras, the *Mussula boat*; at Mangalore and Calicut, the *Manche boats*, &c.; and many of the pattamahs are fastened by padding of coir on the joints of the plants, &c.<sup>1</sup>

*Nidam Paini*, the Malayála name of a tree which means *long Paini*. It grows to about two feet in diameter, and seventy feet high, and produces a sort of varnish which is used with the wood-oil before named, for paint or wood. The natives use the spars for rafting timber down the rivers, and for the yards of small vessels. It is a wood of little value, being neither strong nor durable.

*Poreal Paini*, the Tamil and Malayála name of a wood which may be ranked among the best sort of the *Dúpi Marams*, or *Painis*, and next to the peons on the coast of Malabar. It might be used for

<sup>1</sup> See my description of the native vessels of India, Royal Asiatic Society's Journal, Vol. I.

small yards of vessels. At times this wood is called *Púni Paini* by some of the northern natives : it is of a light-red colour, and grows to about eighteen inches in diameter, and sixty feet long.

*Penarú Palam Maram*, the Malayála name of a tree. It is used at times by the natives, but is of little value.

*Nelle Palé*, the Tamil name of a tree which produces the country gooseberry : the fruit is one of the most powerful acids of India. It grows to about twelve inches in diameter. The wood is not of any use.

*Paraty Maram*, the Tamil name of a tree. It grows to about twelve inches in diameter, and twelve feet long, and produces a nut which the natives eat, and on which wild animals feed. It is not of much value.

*Húndú Palé*, a tree which produces a fruit. It grows to about eighteen inches in diameter, and twenty feet high. It is not of much use excepting for its fruit, which is eaten by the natives and by wild animals.

*Bellerom*, the Tamil name of a wood, which is called in Malabar and Canara *Kyndle*. It resembles the wood named *Angely* at Cochin and in Ceylon. The Company's cruiser, *Aurora*, was built, by way of experiment, of this wood, procured from the forests in the north of Malabar ; and it appeared to answer its purpose.

*Cajom Mone*, which is the Malayála name for Cassur-nut. This tree grows to about ten inches diameter, and covers a large surface. It is considered the best sort of wood for charcoal, and is felled for this purpose only. With this as a substitute for coals, the assistance of a sheep-skin for bellows, and a hole in the ground for a forge, the native smiths produce any piece of iron-work that may be required for ship-work ; iron knees and channel-work for large vessels ; and the brass-founder, any piece of metal, such as the pintles and braces for ships of 700 tons burden.

*Ambalam*, the Malayála name of a wood which produces a fruit considered by the natives to be the wild *Mangoe*. The fruit is very acid, and, as well as the wood, is of no use.

*Bembúr*, the Tamil name of a tree which grows on the Coromandel coast : it is remarkably durable and strong. The few natives who build vessels on that coast, prefer it to the other woods of the coast, which are not very abundant.

*Horingí Maram*, the Tamil name of a tree which produces the soap-nut, or rather the soap-apple, which the natives use as a substitute for soap. This tree is common on the Malabar coast, and grows to about eighteen inches in diameter, and twenty feet long. It

is used by the carpenters for many purposes. There is another sort named *Horingí Tanga Maram*, which is the jungle or wild soap-tree. The apple is very inferior in size and quality to the former, and the tree nothing more than jungle or underwood. These soap-apples are gathered and sold in the bázár at all seasons of the year, and answer the purposes of soap for washing.

*Puoam*, the Tamil name of a tree of a light-red colour, much like the Spanish mahogany. It is generally curved in its growth, and is considered very durable. It grows to about twenty-four inches in diameter, and seldom more than twenty feet high. It produces a fruit which the natives pickle, and from which also they extract an oil, which they use for rheumatic gout, bruises, and various complaints: it is considered by them to be valuable. The weight of this wood is about thirty-seven and a half pounds the cubic foot.

*Mailah*, the Tamil name of a tree which grows to about twelve feet high, and twelve inches in diameter. It is generally curved, and is used in boat-work. It produces a fruit which the wild pea-fowl feed on; and is to be found in the forests of Malabar, and also in Ceylon.

*Pulli Maram*, known to Europeans by the name of "tamarind." There are two sorts of the tamarind, the light and the dark. These trees grow to about seven or eight feet in diameter at the butt, while that of the body of the tree is about five feet. This part is seldom more than ten feet long, when it branches out into curves of various dimensions. It is considered valuable, from the quantity of fruit it produces, which is used medicinally. The acid is used in cookery. These trees are cultivated in gardens, and spread their branches to a great extent. The timber is remarkably heavy and hard, much like *lignum vitæ*; and is used generally for shivers in blocks, and such purposes.

*Puoam Parasom*, the Tamil name of a tree with which the natives of Malabar are well acquainted, and which they use for the masts and yards of pattamahs. It grows to about sixty feet high, and fifteen inches in diameter: it may be considered inferior to the mast-peon before described.

*Nanah*, the Tamil name of a tree which grows in Travancór and Malabar to about twelve feet in height, and ten inches in diameter. It is generally curved in its growth, and very soft and light. It resembles the American red-birch as to its silvery grain. The native carpenters use it for the frames of small vessels. It is of little value in consequence of its early decay.

*Canjara*, the Tamil and Malayála name of a tree which grows to about two feet and a half in diameter, and from twenty-five to thirty

of little use or durability. The natives value its fruit, which is very intoxicating, and used by them as a medicine.

*Kadda Pilow*, the Tamil name of a tree, which is the river side *Jackwood*. It is inferior to the wood of that name: the natives use it for inferior purposes in small pattamahs and coasting-vessels. It is not of much value.

*Talle Tanga*, the Malayála and Tamil name of a tree, which grows to about two feet in diameter, and thirty feet high. It is the tree that produces the jungle-almonds, on which the monkeys and other animals of the forest feed. The natives cut this wood into boards for boats and house-building: they also make it into canoes, which are said to be durable. The boats are sewed together by coir-yarns.<sup>1</sup>

*Ahvi Maram*, in Malabar, is "steam-wood," from its emitting steam when the root is cut. This tree grows to about ten inches in diameter, and fifteen feet long: it is a wood of little value. At times it is used for inferior purposes in the frames of native vessels, in repairs, &c. It is not very durable.

*Navellú Maram*, the Tamil name of a tree which signifies "tongue-wood." It grows to about fifteen inches in diameter, and twenty feet high: it is considered a strong and durable wood; and more particularly so under water. The native carpenters prefer it for the frames of small vessels in consequence of its strength and durability.

*Karnara Vette*, the name of a wood which the native carpenters use for boat-work, and small vessels. It ranks amongst the numerous jungle-woods, and grows only to twelve inches in diameter, and about fifteen feet high. It is not of much consideration as to quality, quantity, or durability.

*Velatti*, the Tamil name of a wood which resembles the English pear-tree. It grows to about twelve inches in diameter, and fifteen feet high: it would answer well for carve-work, from the fineness of its grain.

*Munchetty Maram*, the Malayála name of a tree which grows to about twenty-five feet in height, and eighteen inches in diameter; it is used by the natives for coasting-vessels and house-building: it is of little value.

*Pong*, the Tamil and Malayála name of a tree which is very heavy and remarkably strong. It grows to about eighteen inches in diameter, and twenty feet in height, and spreads its branches to a great extent. The native carpenters prefer this wood for the knees of vessels, and also for general uses where strength is required. The trunk of the tree is applied to the uses of the block-maker, for shivers, blocks, &c.

<sup>1</sup> See "Description of Indian Vessels," Journal R. A. S. vol. i. p. 8.

*Towtal*, the Malayála name of a tree which grows to about two feet in diameter, and thirty feet high. It is remarkably light but not very durable, and is used by the natives for catamarans, &c.

*Pallaga Payanye*, the Malayála name of a tree, which means "plank-wood." It grows to about twelve inches in diameter, and fourteen feet in height. It is soft and light, and is used by the natives for country vessels and catamarans. This wood, with all the light jungle-woods, are of little value, in consequence of their early and rapid decay.

*Kurvah Tanga Maram*, which is the wild cinnamon-wood of the jungle. It grows to about twenty or thirty feet high, and from twelve to fifteen inches in diameter: it is very scarce, and consequently not much known or used.

*Attí*, the Malayála name of a tree which grows to about twenty feet high, and from twelve to fifteen inches in diameter. It produces a sort of fig, which the natives use medicinally. The tree is rather scarce.

*Ardda*, the Malayála name of a tree which grows to about ten inches in diameter, and twenty feet high: it is used, in conjunction with the other woods, in country vessels, &c.

*Ellande*, the Malayála name of a tree which the natives use for general purposes. It produces a fruit from which they extract a sweet-scented oil, which is used medicinally; and also for the hair of the females on days of ceremony.

*Brallah*, the Malayála name of a tree that grows to about eight inches in diameter, and sixteen feet high. It is used by the natives on the coast for boats; and for timbers and knees in larger vessels: it is considered strong and durable.

*Marúti*, the Malayála name of a tree which grows to about fourteen inches in diameter, and from twenty to twenty-four feet high. It produces a fruit which the natives use as a medicine, and from which also they extract an oil which they use in lamps, and in anointing the body after bathing.

*Karindagarah*, the Tamil name of a tree which grows to about forty feet in height, and eighteen inches in diameter. It is used by the native carpenters in house and ship-building, and for various purposes. It is not found in any quantity, and consequently it is not much known.

*Perjí*, the Malayála name of a tree which grows to about twelve feet in height, and ten inches in diameter. It is very hard and strong, and is used by the natives for knee and boat-timbers; and is ranked among the jungle-woods of the coast.

*Orúpu-lingi-Maram*, the Malayála name of a tree that grows to about twelve feet high, and ten inches in diameter: it is very close-grained and durable.

*Eddellah*, the Malayála name of a tree which grows to about thirty feet high, and twelve inches in diameter. It is used in boats and country vessels; and is designated jungle-wood. In consequence of its scarcity it is not much known or used.

*Kareovam*, the Malayála name of a tree which grows to about eight inches diameter, and twelve feet long. It is generally curved, and used for the frames of native vessels, and for agricultural purposes. It is known as jungle-wood.

*Táni* in Tamil, *Jellam* in Malayála, which means *waterwood*. This tree grows to about two feet in diameter, and forty feet high. It is remarkably soft and porous, and contains a great quantity of water: when it is felled it is of little use; and is considered as one of the inferior kinds of jungle-wood.

*Perra Maram* in Malayála, *Coía Maram* in Tamil, are the names of a tree that produces the guava fruit. Its wood is very hard and close-grained. This tree grows to about twelve or eighteen feet high, and eight inches in diameter; it is used, in conjunction with the jungle-woods, for inferior purposes, but is generally known as a garden fruit-tree.

*Kangú Vittu*, the Malayála name of a tree which grows to about sixteen feet high, and eight inches in diameter. It is used for similar purposes as the preceding, and is one of the jungle-trees of the coast.

*Kahlará*, the Malayála name of one of the jungle-trees. It grows to about seventeen feet in height, and seven inches in diameter; is very hard, close-grained, and strong; and is used by the natives in boats, and for timbers and knees in vessels.

*Elavum*, the Tamil name of the wild cotton-tree, which grows to sixty or eighty feet high, and from four to six feet in diameter. It is a very soft, light wood, and used by the natives for catamarans and canoes; and also for rafting the heavy timber from the forests: it is not durable or of much value.

*Vette Maram*, the Malayála name of a tree that grows to about twelve feet high, and eight inches in diameter. Its wood is much admired on account of its handsome dark streaks of black and brown, with white and yellow ground. It is very much like ebony in grain, and also in leaf. It produces a flower which is considered sacred; and is used for decorating the females on days of ceremony at the pagodas.

*Vardagour*, the Malabar name of a small tree which is remarkably

hard and strong. It is used by the natives for spears, weapons of defence, and such purposes as require the hardest kinds of wood. This tree and many of the above-mentioned sorts are known as jungle-woods only.

*Pattí Vayngú* (which means dog-wood), the Malayála name of one of the inferior sorts of jungle-wood: it is considered of little use or value.

*Uppútah*, the Malayála name of a wood which is hard, strong, and heavy. It grows to about twelve feet high and ten inches in diameter. It is used by the native carpenters for the frames of boats, of coasting-vessels, and similar purposes, where strength is required.

*Vellie Púna*, known in Malabar as the white or Cat-Púna. It grows to about eighteen inches in diameter, and eighteen feet high; and is used by the native carpenters for the frames of vessels. It grows curved, and is not durable. It is not found in any quantity in the forests.

*Narah*, the Malayála name of a tree that grows to about twelve feet high, and ten inches in diameter. It is curved in growth, and is used for the frames of vessels. It is not very durable, and ranks as one of the inferior sorts of jungle-wood.

*Karingatta*, the Malayála name of a soft, light wood, which is preferred by the natives for the soles of sandals, &c. It grows to about twelve feet high, and eight inches in diameter. It produces a fruit from which oil is extracted. This, with the leaves of the tree, is used for gout and rheumatic pains.

*Kallow Mow*, the Malayála name of a tree which grows to about sixteen inches in diameter, and twenty feet in height. It produces a nut which is food for monkeys and other animals of the forest: the wood is used for various purposes, but is of little value.

*Vaw-Karah*, the Malayála name of a tree which produces the country olives, to which the natives are very partial. This fruit is also food for the wild beasts and birds of the forest: the tree grows to about eighteen feet high, and twelve inches in diameter.

*Choutal*, the Malayála name of a tree that grows to about forty feet in height, and eighteen inches in diameter. It is a wood which the native coopers use in preference to the woods of the country for casks, vats, tubs, &c.

*Aralie*, *Porrel*, *Attu*, *Itti*, the Malayála names of a tree which grows to about forty feet in height, and two feet in diameter; it is used by the native carpenters for the planks in vessels, and is said by them to be a valuable wood. This tree the Hindú people worship and respect, and consider of great importance and value.

*Kajúw*, the Malayála name of a tree which grows to about eight feet in height, and ten inches in diameter; it is very strong, and the crooks of it are used by the carpenters for boat-work.

*Velle-elow*, the Malayála name of a tree that grows to about sixteen feet high, and eight inches in diameter. It is used by the carpenters for the frames and knees of country vessels. It produces a white seed which the natives use medicinally.

*Kúrotu-palah*, the Malayála name of a tree which grows to about eighteen feet long, and eight inches in diameter. It is very close in its grain, and remarkably hard and strong. It produces a fruit which is eaten medicinally; but the wood is not much used in consequence of the labour required in working it.

*Kara-Kundle*, the name of a tree that grows in the Malabar and Travancór forests to about sixty feet in height, and two feet in diameter. It is used by the Arabs for masts of dowses, buggerows, dónis, and pattamahs. It is very strong, and is said to be durable; but must be considered heavy for the purposes to which it is applied.

*Koir-pah*, the Malayála name of a tree which answers the purpose of small spars for native vessels: it is said to be strong and durable for such purposes.

*Milúlú*, the Malayála name of a tree that grows to about sixteen feet high, and ten inches in diameter. It is known as one of the jungle-woods, and is used by the native carpenters for boats' knees and timbers, on account of its strength.

*Venarah*, the Malayála name of a jungle-tree which grows to about twenty-four feet in height, and eighteen inches in diameter. It is used in building native vessels and for other native purposes.

*Pala Maram*, the Malayála name of one of the jungle fruit-trees. It produces a fruit which the natives use medicinally, but as timber it is of no value.

*Charú*, the Malayála name of a jungle-wood which grows to about forty feet high, and two feet in diameter. It is used in building native vessels, particularly for planks. It is not very durable, and is of little value except for those purposes. It is cheap, and is easily procured from the banks of the rivers.

*Elúpe-Maram*, the Malayála name of a tree which grows to fifty feet in height, and two and a half feet in diameter. It is said to be a useful timber, and is found to be durable in native vessels for planks, beams, &c. It produces a fruit from which an oil is extracted, which is used for lamps and other purposes.

*On the Timber of Ceylon.*

*Yarvínay* in Tamil, and *Crown* in Portuguese and Dutch. This tree grows tall and straight, from twenty to forty-five feet high, and from twelve to thirty inches in diameter. It may be obtained in great quantities, and answers many purposes in ship and house-work.

*Narvell*, sometimes called *Jambu*, in Tamil and Portuguese. It grows to about eighteen inches in diameter, and from ten to fourteen feet in height. It is used for the frames of native vessels and boats, and is not considered as a very durable wood. After it has attained its full growth it produces a berry which the natives use as food.

*Karangalle*, the Tamil name of a tree which is more generally known to the English by that of "*Ebony*." It may be procured at Trincomalee in great quantities, but that which is near the water-side is very small. The largest may be about nine inches in diameter, and from ten to twelve feet high: it is used for chairs and house furniture. On the Malabar coast this tree is named *Charu-Maram*. It grows to about ten inches in diameter, and from fifteen to twenty feet high, but the black heart of it does not exceed seven inches in diameter. In the north part of Malabar, in Canara, it is named *Asha-Maram*, and by some of the Kanatakas *Nugagha*. The natives use the young buds, leaves, and flowers of this tree in cases of flux and in inflammation of the liver, for the cure of which it is said to be most useful. At *Point de Galle*, a great deal of the Ebony and Kalamandel wood is exported to England.

*Tiella* in Malayála and Tamil,—a tree which is not much known in Ceylon. It grows from eight to twelve inches in diameter. It is used by the natives in the frames of country boats; and, from its strength and durability, is found to answer the purpose well.

*Tentúkíe*, the Malayála name of a tree which grows to about twelve or eighteen inches in diameter, and twelve feet high: it cannot be considered valuable. It is sometimes used by the natives for inferior and common purposes.

*Kandle*, the Tamil name of a tree which grows to about fourteen inches in diameter, and twenty-four feet high. It is used at times in house-work.

*Velcana*, the Tamil name of a tree which grows to about twelve inches in diameter, and eighteen feet in height. In appearance it resembles English oak. The native carpenters use it in boats and vessels' frames, knees, &c.

*Vanangú*, the Tamil name of a tree which grows to about eighteen inches in diameter, and twelve feet in height. It is used by the native

carpenters in house-work, &c. ; and produces a fruit which the natives eat.

*Naruvealy*, the Tamil name of a tree which grows to about twenty inches in diameter, and fifteen feet in height : not of much use. It produces a small red fruit which is of a very glutinous nature, and much esteemed by the natives of Malabar. From the bark of this tree a kind of cordage is made, which is used for the purposes required in the hills, and in the conveyance of timber, &c.

*Parcutille*, the Tamil name of a tree which grows to about twenty-four inches in diameter, and fifteen feet in height. It is used by the natives in boats, houses, and other works : it is not of great value.

*Kartu Tangie*, the Tamil name of the jungle cocoa-nut. It grows to about twenty inches in diameter, and twenty-five feet in height. The fruit of this tree is of no use, and the trunk is of little value.

*Mulmuraca*, the Tamil name of a tree which grows to about twenty-four inches in diameter, and twenty-five feet in height. It is used by the natives for canoes, catamarans, and many other purposes. It produces a fruit which, with the leaves of the tree, is used medicinally.

*Velle Nealea*, the Malayála name of a tree which grows to about ten inches in diameter, and ten feet in height. The branches of this tree are very strong, and are used for the frames of native vessels.

*Veraetal*, the Tamil name of a tree which grows to about fourteen inches in diameter, and eight feet high. It resembles mahogany, but is capable of a more brilliant polish : the natives use it for superior purposes. It produces a kind of fruit which is, I believe, of little use.

*Vúlocal*, or *Vuloaylum Maram*, the Tamil name of a strong wood which is used by the natives in making farming utensils. It grows to twenty inches in diameter, and twelve feet in height. The bark of this tree, with the *Marandum bark* and ginger, is used by the natives for cleaning and preserving the teeth.

*Chomondri*, or *Chalembry*, the Tamil name of a tree the wood of which is of a very dark colour, and durable. It grows to between twelve and twenty inches in diameter, and twenty feet in height. It is used by the native carpenters for general purposes. It produces a fruit which is used as medicine.

*Karúdu*, the Tamil name of a tree which the natives use in boat-work. It is not durable, and is of little value.

*Velle Aere*, the Tamil name of a tree which is *white Aere*. It grows to about twelve or eighteen inches in diameter, and twenty feet in height. It is a light wood, and is generally converted into catamarans, being considered useful for that purpose only.

*Pána*, the wood commonly called Peon in England. It is used for masts, yards, &c. This is the wood so much spoken of by persons from Ceylon, and it certainly is of a good quality, and superior to that of Malabar; but, from its small dimensions, its scarcity, and the trouble in obtaining it, is of little consideration. The largest said to have been found was eighteen inches in diameter, and sixty feet in height; but the largest we could discover was not more than nine inches in diameter, and thirty-five feet high. In quality it is much the same as the first sort in Malabar, which may be obtained at Mangalore from the native merchants at all times when the coast is open (viz. from November to April), of three feet in diameter, and one hundred and ten feet long, for the sum of 150*l.* sterling.

*Marauda*, the Tamil name of a tree which is very heavy and close-grained. It is one of the best sorts of Ceylon wood; of a dark-brown colour, and grows to about twenty inches in diameter, and twenty feet in height.

*Katamanak* in Tamil, *Miniley* in Portuguese. This tree grows to about thirty feet in height, and two feet and a half in diameter. It can be obtained in great quantities. It is used by the natives for planks in vessels, and is considered valuable; but from what I have seen of the stock in store at Trincomalee-yard, I am of opinion that it is only applicable to inferior purposes in the dockyard and ships.

*Odre*, the Tamil name of a tree which grows to fourteen inches in diameter, and ten feet in height. It is used by the native carpenters for palanquins and coach-work.

*Panichie*, the Tamil and Portuguese names of a tree which grows in Ceylon and Travancór, from thirty to sixty feet high, and ten to twenty-four inches in diameter. In Ceylon it grows tall and straight; in Travancór it is not more than twenty feet high, and is curved. It produces a fruit which resembles externally the small russet apple: when pressed it yields a very glutinous juice, which is used as a substitute for glue; and may be considered in that country as very superior to glue for the use of joiners. In Ceylon this tree is converted into masts, yards, &c. for country vessels; and the native carpenters consider it the best sort of all the jungle woods for that purpose.

*Vipenie*, the Tamil name of a tree which grows to fourteen inches in diameter, and from twelve to fifteen feet high. It is used for boat-work and house-furniture.

*Margosa*, the Portuguese name, and *Vembú* the Tamil and Malayála names of a tree which grows from eighteen inches to three and a half feet in diameter. In appearance it is much like mahogany, and is used

by the natives for general purposes. It produces a fruit from which an oil is extracted which is used medicinally.

*Karúcue-waeh*, the Tamil name of a tree which is very close-grained and heavy. It is used for the frames of native vessels, and is considered a good strong wood. It grows to eighteen inches in diameter, and twelve to fourteen feet in height.

*Kartu Toda*, the Tamil name of the wild or jungle orange-tree; it grows to from ten to sixteen inches in diameter, and ten feet in height. It is a very handsome yellow wood: its fruit is of no use.

*Palk* in Tamil, *Irambú* in Malabar, *Palari* in Portuguese;—the wood known in England by the name of *Iron-wood*. It grows to about thirty feet in height, and twenty inches in diameter. It is very useful for stocks of anchors, piles for jetty-heads, beams in store-houses and places where strength is required; for such purposes it will be found useful and durable: it may be obtained in great quantities at a very moderate rate.

*Poverasie* in Tamil, *Santa Marie* in Portuguese;—and called by Europeans *Ceylon Tulip-tree*. It is used at times by the coachmakers for wheels, &c. It is a tree generally planted to ornament walks in gardens, and is very common: it produces a yellow flower.

*Pienche*, the Tamil name of a tree which is of a dark colour and very heavy and close-grained. It grows to about twelve inches in diameter, and fourteen feet in height. From this tree the native carpenters make the frames of vessels, it being considered durable: it produces a fruit which is of no use.

*Somendilla*, the Tamil and Malabar name of a tree yielding the best and most useful wood in Ceylon for naval purposes. It is commonly called *Halmilile* and *Hameniel*, by the Dutch and Portuguese. It grows straight, from twenty to forty feet high, and from twelve to thirty inches in diameter. This tree, with the satin-wood, is the most plentiful and valuable found in Ceylon; and may be obtained at a moderate rate to answer the demands of the navy in India: it may be considered superior to any wood for capstan bars, cross and trussel-trees, cask-staves, battens for yards, fishes for masts, boat-building, &c. At Madras, it is highly valued for coach-work from the toughness and fineness of its grain.

*Kauna*, the Tamil name of a tree which is used for boat-crooks, knees, &c. This tree grows to about fourteen inches in diameter, and six to ten feet in height. It is strong and durable, and produces a fruit which is similar to the cocoa-nut, and is used by the poorer natives as food.

*Charlombi*, the Tamil name of a tree which grows to about

fifty feet high, and twenty inches in diameter. It is very close-grained and light, and resembles some kinds of mahogany. It is used in house-work, &c. : the fruit which it produces is of little value.

*Kuveama*, the Tamil name of a tree which is remarkably heavy and strong. It grows to about two and a half or three feet in diameter, and is curved in its growth. It is used in the frames of native vessels : it produces a fruit which is of no use.

*Attati*, the Tamil name of a tree which is of little value. It grows to about ten or twelve inches in diameter, and eighteen feet long. It produces a flower, and then a seed-pod, which is used as a medicine.

*Púngul*, the Tamil name of a tree which grows to about eighteen inches in diameter, and twelve feet in height. It is of little use. Its fruit, and also its juice, are used as applications to ulcers, &c. From the seed a fixed oil is prepared which is considered valuable in rheumatic pains, bruises, &c.

*Terú-Kundle*, the Tamil name of a tree which grows to about two feet in diameter, and twelve feet in height. It is used in country vessels, and produces a fruit which is eaten by the natives.

*Kayann*, the Tamil name of a tree which is about ten inches in diameter, and fourteen feet in height : it produces a fruit which is of no value.

*Vaghey*, the Tamil name of a tree which grows to about twelve inches in diameter. It is a strong wood, and is used by the natives for wheels of carts, &c.

*Kartuma*, the Tamil name of a tree which is considered to be the *Wild Mango*. This tree grows to about two and a half or three feet in diameter, and twenty-four feet high. It is used for canoes, native boats, &c. The fruit is very acid, and is sometimes made use of by the lower class of natives in cookery.

*Verda-Canara*, the Tamil name of a tree which grows to about twenty inches in diameter, and from forty to sixty feet high. At times some of the country vessels get their masts from this tree : it is not durable or strong.

*Vírey*, the Tamil name of a tree which grows to about twenty inches in diameter, and twelve feet high. This is a very handsome, hard wood. It produces a kind of seed which is very mealy, and which the poorer class of the natives eat as a substitute for rice.

*Chivendi*, the Tamil name of a tree which grows to about eighteen inches in diameter, and twenty feet in height. It is used in house-work and for other purposes.

*Vell-viru*, the Tamil name of a tree which is about fourteen

inches in diameter, and eight feet in height. Its strength and durability induce the natives to prefer it to other wood for the purpose of supporters to their huts.

*Vengula-Cyam*, the Tamil name of a tree of little value. It grows to about twelve inches in diameter, and six feet high; and produces a fruit which is not made use of.

*Kartu-Nedenarí*, the Tamil name of a tree which grows to about fourteen inches in diameter, and fifteen feet high. It is used by the natives for their huts. It is not very durable, and is of little value.

*Kula*, the Portuguese name of a tree, called in Tamil *Kanugha*. It is very heavy and close-grained, grows to about twenty-four inches in diameter, and eight feet high. The natives use it for general purposes, and for houses and vessels. It produces a fruit which they eat, and from which they extract an oil which is used as a medicine.

*Ear-gúlie*, the Tamil name of a tree which is about fourteen inches in diameter, and eight feet in height. It is not a useful wood.

*Punde-cyann*, the Tamil name of a tree which grows to about twenty inches in diameter, and twelve feet in height. It is a close-grained wood and resembles the *English pear-tree*. It is used by the natives for various purposes in making farming utensils.

*Kanjurea*, the Tamil name of a tree which grows to about sixteen inches in diameter, and ten or fifteen feet high. The natives use it at times in house-work. It produces a fruit which is used as a medicine.

*Hal*, the Tamil name of a tree which grows to about two feet in diameter, and twelve feet high. It is used in native vessels, palanquins, &c. and produces a fruit which the natives eat.

*Marvulinga*, or *Marvilingum-Maram*, the Tamil name of a tree which grows to about sixteen inches in diameter, and eight feet high. It is prized by the natives for sandals and toys, &c. It produces a kind of pod, which, with the bark and leaves, is used with much success in cases of intermittent fevers.

*Mara-verie*, the Tamil name of a tree which is much the same as the *Vell-verie* in size and quality. It is used for natives' huts, &c., but is not of much value.

*Mocheal*, the Tamil name of a tree which is about twenty inches in diameter, and eight or ten feet high. It is used in native boats, &c. It produces a fruit from which oil is extracted.

*Nar-putte*, the Tamil name of a tree which is used for canoes, planks of vessels, &c. It grows to about thirty feet in height, and twenty inches in diameter. It is not durable, and is of little use.

*Velatte*, the Tamil name, *Ballanju*, in Portuguese; a tree which

grows to about fourteen inches in diameter, and eight or ten feet in height. It is remarkably strong, and is used by native carpenters in vessels. It produces a fruit which is eaten by the natives.

*Mungevenah*, the Tamil name of a tree which grows to thirty inches in diameter, and eight feet long. It is close in its grain and light. It is used for gun-stocks, poles of palanquins, sandals, &c. It produces a fruit which is of little use. It is on the fruit of this tree that the monkeys, pea-fowl, &c. feed.

*Vernangú*, the Tamil name of a tree which is also named mast-wood. It is light, and is used by the natives for the masts and yards of small vessels. It grows to about twenty inches in diameter, and from twenty to forty feet in height. It produces a fruit or seed similar to that of the Peon.

*Velassalu*, the Tamil name of the *White Iron-wood*, which grows to about fourteen inches in diameter, and ten feet high. It is used by the natives for huts, poles, &c. and where strength and durability are required.

*Veram Pelow*, the Malayála and Tamil name of a tree known by that of *Jackwood*. This tree is common throughout India, and is of great value to the natives, its fruit and nuts forming a considerable part of their food. The wood when cut is yellow; but, when exposed to the air, turns dark as mahogany, to which it is superior in brilliancy. It is generally used in articles of furniture for the Europeans, and for house-work, and is considered handsome: the largest tree of this kind which I have seen was about three feet in diameter, and from thirty to thirty-five feet high. In Canara, this was the wood which TIPÚ SULTÁN used for his vessels at Onnór, where his naval depôt was formed.

*Mútherie*, the Tamil name of a wood known in England by the name of satin-wood; by the Portuguese it is called *Buratu*. It is a handsome and valuable wood, and may be considered the most durable of any in Ceylon for general uses, provided it is seasoned in the shade: it may be converted into handsome furniture, &c. In consequence of its weight all trees are cut in lengths of from ten to twelve feet, for the purpose of getting it floated down the rivers from the forests, which is done in canoes. I am of opinion that it may be obtained from twenty-five to forty feet long, and the largest diameter thirty-six to forty inches. That which is in general brought to the dock-yard is about fifteen feet long, and from eighteen to twenty-four inches in diameter, being cut to that size for the ease of conveyance.

*Hatey* or *Artí*, the Tamil name of a tree which grows from two to three feet in diameter, and from twelve to twenty feet high. It is used

for general purposes in small country vessels. It produces the wild fig.

*Maratina*, the Tamil name of a tree which grows to about twenty inches in diameter, and from fifteen to twenty feet in height. It is sometimes used by the natives for house and boat-work.

*Piri*, the Tamil name of a tree which grows to about twenty feet in height, and two feet in diameter. It is very close in its grain, and is used by the natives for the frames of vessels and in house-work. It produces a fruit which is of no use.

*Kuevea*, the Tamil name of a tree which grows to about eighteen inches in diameter, and fourteen feet long. It is used by the natives in boats and house-work.

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**ART. XIV.—*Ten Ancient Inscriptions on Stone and Copper found on the Western side of India, and translated by WILLIAM HENRY WATHEN, ESQ. &c. &c. Secretary to Government, Bombay.***

THE object in collecting and translating the many inscriptions to be met with in India, is, as Mr. Wathen very justly observes in his letter to the Secretary of the ROYAL ASIATIC SOCIETY, to elucidate the history of India previous to the Muhammedan conquest. Of that history but little is yet known: that little to the few only who have devoted the greater part of their lives to this research, and each of those few possessing perhaps a part only of that information which, if combined and moulded into a whole, might, at no distant day, supply this desideratum in our knowledge of the East, without which no accurate notion can be formed of the true character of ancient India, as to its modes of government, laws, and usages.

With this laudable view Mr. Wathen has kindly contributed these inscriptions and translations. They will appear in the succeeding numbers of this Journal; and, as an introduction to them, Mr. Wathen's preliminary observations and remarks are now published, together with some annotations, for which the Society is indebted to the kindness of Professor Wilson of Oxford.

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*Preliminary Observations*

**ON THE COPPER INSCRIBED PLATES AND OTHER INSCRIPTIONS FOUND  
ON THE WESTERN SIDE OF INDIA.**

In 1821, when Sir John Malcolm came to Bombay, having made several curious discoveries of antiquities in Málwá, and becoming persuaded of the value of the inscriptions still remaining in various parts of India, in an historical point of view, as giving a clue to the elucidation of the history of the country previous to the Muhammedan conquest; he drew the attention of the Hon. Mountstuart Elphinstone to the subject, who, accordingly, took every means to interest the gentlemen employed in the various districts to make inquiries as to the existence of any inscriptions in different parts of the country, in consequence of which some copper inscribed plates which had been accidentally found at Thána, were transmitted by Mr. Bailie, and some other copies of inscriptions were sent from the Carnatic, &c. These

were made over to me by Mr. Elphinstone, who requested me to translate them at my leisure, with a view to their being handed over to the Literary Society. My own curiosity was so much excited by the perusal of their contents, that I made every exertion, and spared no expense to procure as many more as possible. I was so fortunate as to obtain, in the course of some years, as many as fourteen, consisting partly of copper inscribed plates, and partly of inscriptions copied from pillars and ruins of ancient buildings, temples, &c. Of these twelve have been, more or less, made out; the character of two cannot be deciphered.

As I succeeded almost every year in finding some new inscription, and increasing my collection, and as several of the inscriptions related to the same dynasty, and thus afforded an important proof of the correctness of the former ones, I was induced to delay the transmission of these manuscripts, &c. until the present time.

#### ABSTRACT OF THE INSCRIPTIONS.

##### No. 1.

The date of this is saka 894 (A.D. 973), or eight hundred and fifty-seven years antecedent to the present year 1830.

This is an inscription in the Dévanágarí character and Sanskrit language, on three massive copper-plates, which are run through by a ring bearing the impression of the goddess Bhavání on it, and the Rájá's title *Srí-Mata-Amógha-Varsha* underneath. It was found in the town of Kardla, in the Dekkan, and contains the grant of a village to a priest on the occasion of an eclipse of the moon.

The founder of the family is said to have been of the Yádu race and Sóma Vansa, or children of the moon. This, probably, is owing to his being a Yádava, for though the Dwáraca Mahátma, or the legend of Dwáraca states that Krishna and all the Yádavas were slain, still the Jadows do not allow the truth of the story any more than the Rájputras do that of the extinction of the Kshétrayás. The first mentioned is Dántidruga Rájá; and the capital of this race of sovereigns, of whom a list to the number of fourteen is given, is called Mandya-Cheta-pura, a place which seems to be the present Mandkhera, and must have been situated in the Hyderabad territory. The lords of Ándhra-desa, the present Telingána, are described as tributary to these Rájás, and extensive conquests are alluded to. The Rájás of Gurjura (Guzarát), Hunavi princes, those of Chóla (Tanjore), Pándya (Madura, &c.), are also alluded to. This dynasty may have ruled the central part of the Dekkan and part of Telingána. Allowing twenty years for the reign of each prince, we have a period of 280 years

antecedent to saka 894, or fourteen princes reigning from saka 564 (A.D. 693), to saka 894 (A.D.) 973).

The name of the Rájá making the grant is Kakka, or Kakkala Rájá, and his title Amógha-Varsha.

*Remarks.*—The chief points deserving notice in the above inscription, are—1st. The invocation of the Hindú Triad, proving that this Triad was worshipped in former times.

2d. The intermarriage of this family with that of the Haihaya princes of Chaididésa, which is the present Ganjam, &c. &c.

3d. The geographical division of the country at that period into districts, composed of a certain number of villages, and named from such number, and the principal town being here styled “the village of Pangarica, situate in the twelve of Babulatala, in the three hundred of Uplica, answering to our present Parganas, Tarafs, &c.

4th. The fact of the land revenue of the village, or “Kara,” the jurisdiction over crimes and fines, and the “Shidca,” or land customs, &c. being specified as comprised in the grant.

#### No. 2.

The date of this is Saka 946 (A.D. 1025), being eight hundred and four years anterior to the present time, and fifty-two subsequent to that of No. 1.

This is an inscription in the Dévanágarí character and Sanskrit language, on three massive copper-plates, joined by a ring, on which is the Rájá's seal, being an impression of the Varáha Avatára (the incarnation of VISHNÚ in a boar); it was found in the Fort of Marich (Meritch), in the Dekkan, and contains the grant of a village to a Brahmachári.

The first Rájá of this dynasty mentioned in the grant is JAGADEKA MALLA RÁJÁ, of a race called the CHAMUSHYA, which I have not met with elsewhere. (It may be for CHAHUMANA or CHOCHAN, as such mistakes in writing names are frequently found in these engravings), and of the same family with the Rájás called VISHNÚ-VARDHANA-VIJUÁDITYA, &c. (perhaps princes who reigned at Rájámundry).

Mention is made of the destruction of the Kadamba dynasty by this race of sovereigns, the conquest of Rájás of the MAURYA family, the subjection of the RÁSHTRA-KUTA princes, and the acquisition of the country of Kalacheri.

It is stated that fifty-nine kings of this race, ancestors of JAGADEKA MALLA, reigned in ancient times (in the north), and that in later times sixteen princes ruled in the southern country (Dakshinadésa). Further, that inimical Rájás had kept possession of the

Chamushya (Chohan?) kingdom, but that subsequently a rájá of this family, named JAYASINHA VALLABHA, recovered it; that he conquered KRISHNA Rájá's son INDRA, and put to death five hundred rájás or petty princes in the Konkan; that the grandson of this prince, by name PULAKÉSI, reigned at Dhátapipura (a city of which I have been able to find no trace), and that this rájá, while performing an "Asvamédha" sacrifice, gave to priests two thousand villages, besides elephants and horses; that his successor, KRISHNA Rájá, destroyed the princes of the Maurya and Kadamba dynasties; that after him reigned his youngest brother, MANGALÍSA Rájá, who having embarked his army on ships, and sent them beyond the sea, conquered Revanti, dwípa (Sumatra?).

After an interval of about twelve kings, of whom nothing remarkable is mentioned, TAILABHÚPA Rájá, son of VIKRAMÁDITYA Rájá by the queen VOTHA DÉVÍ, of Rájá SISUPÁLA's family, the daughter of LAKSHMANA Rájá, is named as having overcome in battle KARKARA and RANASTAMBHA Rájás, both of the Ráshtira-kúta tribe, and saved the Chamushya kingdom. The same prince is stated to have overcome the princes of Huna-Désa.

The marriage of TAILABHÚPA with JAKADWAJA DÉVÍ, daughter of BHAMA-CHÁRA BHUPÁLA Rájá, of the Ráshtira-kúta tribe, is also mentioned.

King JAYASINHA, the donor of the grant, is then introduced as making a proclamation to the chiefs of provinces, &c. to the effect, that having defeated the powerful Chóla king (Coromandel's prince), the lord of Chandramila Nagara, and having seized the dominions of the seven rájás of the Konkana, being, with his victorious army, on his march to conquer the northern countries, in his camp at Kolapura, a religious grant of a village to a holy Brahmachári has been made by him.

*Remarks.*—This dynasty appears to have been of great antiquity, and seems to have met with great occasional reverses. If we take only the rájás whose names appear from JAYASINHA VALLABHA, this gives us twenty princes reigning down to saka 946; which, allowing twenty years for each reign, is 440 years for the period of their reign, and carries us back to saka 506.

This seems to be the most ancient race of kings, excepting the Shilahara of Tagara, whose inscriptions have been found; whether it is the Chahumana (or Chóhan), written by mistake Chamushya, I cannot pretend to determine; I believe there is a tradition that the Chóhans reigned in the southern country, but I cannot find any trace of a dynasty called Chamushya.

These princes appear to have been of the Vaishnawa sect, and more particularly devoted to the Varáha Avatára, which is their seal; it is this circumstance which causes the Hunas, now erroneously called Pagodas, and anciently Varáhas, to have the impression of the boar on them.

With regard to the Kadamba dynasty mentioned in this grant, they ruled a very extensive tract of country for many ages, consisting of Sunda, Bednore, Tulava, and great part of the Carnatic; their capital, called Banavasi (mentioned by Ptolemy), was situated near the southern extremity of Sunda; its ruins are said still to be in existence. The Purvada, or Halla Kanara, an ancient dialect and character of the Karnátaka language, was used by them in their inscriptions. These facts are authenticated by inscriptions in the MACKENZIE Collection, and are alluded to by WILKS in his *Historical Sketches*.

I cannot find any mention of the Ráshtra Kúta kingdom in the *Asiatic Researches*, or in WILKS, nor did my pandits know of such a family. I think it is probable that they reigned in Malabar. A place called Kalacheri is stated to be their capital. Calligeris is to be found in PROTOLEMY, laid down as south of where the present Mangalore is situated.

The Maurya tribe is, I believe, frequently mentioned by WILFORD and TOD as a powerful race at one period of Hindú history. A Marhatta tribe of the name of Móre still exists.

Allusion is made to the fact of this family having, in former times, ruled in northern India.

Dhátapipura is stated to be the capital, but I can form no conjecture as to its probable site.

A singular circumstance is mentioned respecting a rájá of this dynasty having sent an army in ships across the sea, and having conquered an island called Revantidwípa. A very great intercourse prevailed, from the most ancient times, between the Coromandel coast and the eastern or Malay islands, into which the Hindú religion was introduced, and into which language the Sanskrit language was infused and incorporated. It, therefore, seems very probable that this alludes to some conquest made over Sumatra, Java, or some one of those islands.

The conquest of the Hunadésa Rájás is mentioned, but from their names in most of these records being connected with occurrences in the southern part of India, I rather think that Hunadésa is the present Tulava.

Several intermarriages of these princes with the Ráshtra-kúta, and

other tribes, are mentioned, which shews that the rules of caste must have differed greatly at that period from what they are now.

The marriage with a descendant of a famous king named SISUPÁLA is stated.

One of these princes performed the sacrifice of a horse, "Aswamédha," which shews, contrary, I believe, to the belief of the Bráhmans, that these sacrifices have been customary within the last thousand years.

The donor is said to have conquered the rájá of Cholahésa, (Coromandel, Tanjore, &c. &c.), whose capital was Chandra-mila-pura, perhaps the present Tanjore (called by the natives Chandi-Chandavar). Seven rájás of the Konkana are also stated to have been overcome by him.

The same geographical divisions of the country are mentioned as in No. 1, with this difference, that the larger district of several thousand villages is stated in this inscription, though not in the former one, and that the smaller of 12 is omitted, viz.; "In the Pardori Prant of 2000 villages, in the Karticannu, 300; in such district the village of Mandha-Chururu is given."

The donee is said to be a native of Mudhonira, in Pagalati-désa; this may be in Malabar.

#### INSCRIPTION, NO. 3.

The date of this is saka 948 (A.D. 1027), being eight hundred and three years anterior to the present time (1830), and two years subsequent to No. 2.

This is an inscription in the Dévanágari character and Sanskrit language on three small copper-plates, joined by a ring, on which is the rájá's seal, being an impression of Gárúda, the eagle of VISHNU. It was found at the village of Bhandup, in Salsette (Sashati), and is in the possession of the Pársi proprietor of that village.

The first rájá named of this dynasty is SRÍ KAPARDI DÉVA. The tribe is the Shilahara (Silar), the origin of which is fabulous, and traced from JÍMÚTAVÁHANA, a demigod, who laid down his own life to redeem that of a Nága, or serpent, being devoured by the eagle Gárúda, and afterwards restored to life by him; whence the banner of the family bore a golden eagle.

The donor was SRÍ CHHINNA DÉVA RÁJÁ. His titles were Chief of tributary rájás, descendant of the lords of the city of Tagara, reigning in the city of Puri over 1400 hundred villages of the Konkana.

It contains a grant of the village of Naura, one of the sixty-six of SRÍ STHÁNAKA (Thána), to a priest on the occasion of an eclipse.

Ten princes are mentioned in this record : allowing twenty years for each reign, this will give us a dynasty ruling the northern Konkan, from saka 768 to saka 948.

*Remarks.*—This is the second grant by princes of the same dynasty which has been discovered. The first was sent to Bengal by General Carnac ; its translation appears in the first volume of the *Asiatic Researches*, and its date is eighteen years anterior to that of this one.

The Silár tribe is mentioned by TOD, and there is still a numerous tribe of Marhattas of high caste in the Dekkan now bearing the same family name (Silár).

Another branch of the same family reigned at Panalla, near Kolapura. A grant by one of those rájás was translated by the late Doctor TAYLOR, and appeared in a volume of the *Bombay Transactions*.

As to the ancient city of Tagara, mentioned by PTOLEMY and ARRIAN, we are just as far from fixing its site as ever. WILFORD makes it Déogir, and GRANT DUFF thinks it to have been near Phultamba. As used here, however, it seems to be merely a title derived, probably, from the ancestors of the family ; for it appears among the other titles, such as “ on whose standard is a golden eagle,” &c. &c., and in proof of this they are positively stated to be reigning at Puri (Elephanta is called Ghari-puri ?), and their dominion is stated to extend merely over fourteen hundred villages of the Konkan.

Thána is said by the pandits to be mentioned in several ancient writings by the name of Srí Sthánaka, and, as a place of some consequence. The island of Salsette is, in this inscription, called Sashati, the name by which it is still designated by natives, on account of its originally containing sixty-six villages, being called the sixty-six of Srí-Sthánaka or Thána.

The discrepancy in the names of some of the rájás, &c. in this and General CARNAC's inscription, which contains a grant by a rájá of the same dynasty, arises probably from the latter having been very illegible, as is mentioned in his paper in the first volume of the *Asiatic Researches*. It should be noticed, that by a mistake, apparently of the engraver, *sud* has been put for *bud*, the light half instead of the dark half of the moon of Kártika.

#### No. 4.

The date of this is saka 980 (A.D. 1058), seven hundred and seventy-two years anterior to the present time, and thirty-two posterior to No. 3.

This is an inscription in the Purvada Halla Kanára, or ancient Karnátaka character, and in the Sanskrit language, on three massive copper-plates joined with a ring, with the rájá's seal on it, and an engraving of the devotee in whose favour the grant was made on the back of one of the plates. It was found near Mirija (Meritch), in the Dekkan.

This is a dynasty which appears to be a branch of the Shilahara (Silar) race, who reigned in the vicinity of Thána. The ancestor named is JATIGA, who is said to have dwelt at Panalla Fort. The conquest of Mirija (Meritch), Kurrar, &c. is mentioned.

An inscription of the same family was found in the possession of a Bráhmaṇ near Satara, by Captain GRANT DUFF, and translated by Doctor TAYLOR. Its translation appears in the third volume of the *Bombay Transactions*; and it contains a grant to a priest by a rájá, who appears to have been the great-grandson of Marasinha Rájá, mentioned in this.

The names of several princes in the former are not to be found in this; but such omissions frequently occur, some of the inscriptions entering more at length into the genealogy of the donor's family than others. The grant is in favour of a holy Brahmachári, and is made by a rájá residing at a fort, called Khiligila Durga. Mirija, or Meritch, is noticed as a large city. Kings are mentioned which give a dynasty existing to saka 980.

*Remarks.*—Among the titles of these rájás is, "Lords of the Tagarapura Country, on whose ensign is the figure of the golden eagle, GÁRÚDA, descendant of the demigod, JÍMÚTAVÁHANA," &c.; these appear to be mere titles, not at all proving that TAGARA even existed at this time. Three capitals are mentioned, viz. Panalla, Khilligila, and Dúrga, which last, is probably some place in the Karnátaka, as well as Mirija, the present Meritch, which is identified, not only from the resemblance of name, but from the circumstance of the village granted being the present Kuranwada, and from that of its relative position being the same at present, especially as Shirol, &c., villages existing at this day, are mentioned as its boundaries. The title must have reference to some ancient tradition of the Silár tribe having reigned in remote times at the ancient city of Tagara; and this seems supported by the same title being taken by rájás of the other branch of the same tribe descended from Kapardi, who reigned at Thána, or in its vicinity.

This dynasty appears to have ruled over parts of the Carnatic and Maháráshtra, and is said to have conquered the Konkan (probably only the southern districts), Mirija, and Kurrar.

There is a curious account of the devotee's ancestor. Certain temples in Mirija are granted to him. The rights of sovereignty are renounced by the donor.

## No. 5.

The date of this is saka 1008 (A.D. 1087), seven hundred and thirty-nine years anterior to the present year, and twenty-eight after No. 4.

This inscription was written partly in the Halla, or old Karnátaka, and partly in the Sanskrit language, but in the Halla Kanara character. It was taken, I believe, from some ancient building in the Karnátaka, and was translated by the late Mr. MUNROE of the Madras Civil Service.

It contains a grant of land from a rájá named JAYA-SANKARA, of whose descent or ancestors no account is given, but who was a votary of SAMBHA (MAHÁDÉVA), and who reigned at the hill fort of Parasharagiri (supposed to be Parusgur, twenty miles north of Dharwar), of the village of Powali, to his family, priests, and one thousand Bráhmans, for the salvation of his father and mother, who died at the Nágatírtha, in that village; this prince is stated to have ruled the countries of Karnátaka, south of the Narmada (Nerbudda) river.

*Remarks.*—This rájá appears to have been some Poligar, or petty chieftain. It is remarkable, that in several instances such omission of the tribe and pedigree appear; and it seems probable that this was owing to the prince making the grant being a usurper, or that his possessions were of small extent. Poetical exaggeration seems to be carried to the utmost extent by the Hindú poets, and to this, perhaps, may be ascribed the mention being made of his reigning over all the Karnátaka.

## No. 6.

This inscription is dated saka 1102 (A.D. 1181), or six hundred and forty-nine years back, and ninety-four subsequent to No. 5.

It was copied, with the greatest difficulty, from a stone pillar which had lain many years near the government-house at Bombay; but its original site is unknown. It was in the Dévanágarí character, and mostly in the Sanskrit language; the latter part, containing a curse, was written in, what appeared to be, an old dialect of Maráthi. It contains a grant of gardens, &c. in the village of Mandauli, in the district of Thadda (probably Thulla), for the support of a temple of

Srī-Vaijanātha (Mahādēva), situated in the town of Rabavanti (Révadanda?).

The donor is styled SRĪ-MATA-APARĀDITYA-RĀJĀ, ruling the Konkana country; but neither are his ancestors' names given, nor any account of his descent.

*Remarks.*—This is one of the same description as No. 5, and would seem to be made by some inferior chief, who, by exaggeration, is entitled “Prince of the Konkana.” It is singular, however, and in support of the pretensions and traditions of the Kayastha Prabhus, that they seem to have been ministers under this rājā. Rabavanti is likely to be Revadanda, from the mention of several merchants living there, and from the pillars being found most probably in the neighbourhood of Bombay. Thalla and Mandauli are both in Angrias' country. Revadanda, or Chaul, as called by the Muhammedans and Portuguese, was a place of note in ancient times. The circumstance of the imprecation against the infraction of the grant being in old Marāthi is singular.

#### No. 7.

This is dated in saka 1127 (A.D. 1206), or six hundred and twenty-four years anterior to the present, and twenty-five later than No. 6.

This was taken from a stone opposite to a basti, or Jain temple, in the fort of Belgam, in the Karnāṭaka, whence it was transmitted by the late Mr. THAKERAY. It is written in the Halla Kanara character and language, and the pandits of the present day find it difficult to decipher.

It is a grant of a village, for the support of a Jain basti, by a rājā of the Jaina sect, who reigned at Venigrāma (Belgam), in the Karnāṭaka (Sena Rājā is the first mentioned of this race, as famous throughout India.) Five rājās are mentioned, which gives a dynasty from saka 1027 to saka 1127.

*Remarks.*—This is supposed to be the same family as that celebrated Jain dynasty, which reigned at Kalyāni in the Karnāṭaka, near Tuljapura, and the existence of which is proved by numerous inscriptions in the MACKENZIE Collection, as quoted by WILKS in his *Historical Sketches*. It is singular that it is entitled, a Jain Sāsana (grant); the invocation is to Siva-buddha; and the village is to support a temple erected to SRĪ-SANTA-NĀTHA, the 24th of the Jain-deified mortals; and that all the allusions and comparisons in the poetry are taken from the Hindú sacred books.

The names of five rájas are given, and those of several of the princesses to whom they were married, but neither their descent nor lineage.

The grant does not conclude, as those of Hindú princes, with quotations from the Puránas invoking curses on its resumer; but merely states, that the continuer will be happy in this world, and the resumer unfortunate.

It is, perhaps, proper to mention here, that the Karnátaka Jainas are said by the Guzarát Yatis (priests) to differ, in many respects, from those of their country; and they say they belong to the Digambara sect. They believe in the twenty-four Tíirthakaras; but their practices and religious rites are said to differ much from those of the Jainas of the North.

There are two kinds of Jaina temples in the Karnátaka, one with a roof, called basti, and the other an open area surrounded by a wall, called bettus. In the former are worshipped the twenty-four Jain Sidhi, or deified mortals; in the bettus, Gótama alone.

#### No. 8.

This is dated in saka 1182 (A.D. 1261), five hundred and sixty-nine years back, and fifty-five later than No. 7.

It was, I believe, engraved on three copper-plates, and its copy was transmitted to me, by Captain T. B. JERVIS. It is written in the Dévanágari character, and Sanskrit language; and contains a grant of a village named Terivatta, by the minister of a king of the Chálukya race called SRÍ-KÁMVADÉVARÁJÁ.

*Remarks.*—The above inscription seems to be one of a prince of inferior degree, who reigned at Kalyána (probably Kalyan), in the Konkan. His pedigree is not given; but he is stated to be a worshipper of Mahádéva.

#### Nos. 9 and 10.

The date of these grants is saka 1212 and saka 1194 (or A.D. 1291 and 1273); being five hundred and fifty-seven years, five hundred and fifty, and five hundred and thirty-eight from the present period, and sixty-seven, and seventy-eight later than the former. These inscriptions are on three copper-plates, and in the Dévanágari character, and Sanskrit language. They were found in digging a grave at Thána, in the Musalmán burial-ground.

They contain gifts of land granted by viceroys of the Konkan, under a prince of Yadu (Jadow) descent, whose name is stated to be in one place, SRÍ-RÁMACHANDRA, and in another, SRÍ-RÁMA-DÉVA

**RÁJÁ.** A long pedigree is given, and the first ancestor mentioned is **SRÍ-BHILAMA**.

Dwárawati-pura is stated to be the seat of this Yádava dynasty.

Conquests in Guzarát, Málwá, and Telingana are alluded to.

The Varáha Avatára is the one to which this family was devoted.

Kings are mentioned. The dynasty existed to saka 1272.

*Remarks.*—These appear most probably to have been grants under the authority of the last Hindú sovereign of Déogir, or Dévagiri, for the following reasons: 1st. Dwáravati-pura, the pundits say, is used, generally, as the name of any metropolis. It signifies the “many-gated city,” and may, therefore, have been applied to Dévagiri or Déogir, the present Daulatábád. It is well known how the Muhammedans confounded Hindú names; and the shorter term of the king’s fort or mountain (Dévagiri, for Déva, is generally a title of all the ancient kings), may have been more generally used, as is the case with many places, even at this day; and the Muhammedans may have, perhaps, made of it Déogír. 2nd. From the geographical allusions in the inscription to Guzarát, Málwá, and Telinga, and from the denomination of the viceroy of the Konkan Pakschima Rájá, or western prince, or governor, which would not be applicable to Dwáraka, or Dwára Samudra; the former having been situated in Súráshtira, and the latter in Mysore. 3rd. The fact of the dynasty being of Yadu descent, by which is undoubtedly meant Jadow, (for the story of the Bráhmans relating to the extermination of the Yádavas with Krishna at Dwáraka, is not admitted by the Rájputras; and several of them, the Jarejahs for example, even now claim such descent). The number of ancestors in the pedigree, the conquests in Guzarát, Málwá, and Telinga, and even the grant itself, all shew that this was a powerful government, and there was no other place of any note, except Déogir, at this time in existence. 4th. The very name of the rájá is RÁMCHANDRA-DÉVA which is commonly written RÁMDÉVA or RÁMDÉO, the very prince, who a few years subsequently, or in A.D. 1295, was conquered by the Musalmán invaders. These grants also appear to have been made by his orders for the sake of propitiating divine favour, and were probably intended to avert the impending calamity of invasion by the victorious foreigners; especially as no other cause for the grant is stated, which is always the case in other inscriptions, viz. “on the great occasion of an eclipse,” &c. From the number of Bráhman grantees, also, it appears to have been made on some momentous occurrence; and the same religious acts were probably ordered to be performed throughout RÁMDÉO’s provinces.

## Nos. 11 and 12.

These were two inscriptions, in an almost extinct form, of the Purvada Halla and Kanara character, on a stone in walls of the citadel of Bijapúr in the Dekkan, being trophies brought from the south by the Muhammedan princes. The following was all that could be made out of them :

One is dated saka 996, Ananta Sam-Vatsira. It is a grant of a village by a rájá called Pritvi-Pála, to a priest.

The other, saka 1162, Sharari Samvatsira. It contains the grant of a village to a priest, by a rájá called YÁDAVA NÁRÁYANA, prince of Vidyapura. This last appears to relate to an old Yádava, or Jadow dynasty, which reigned south of the Túngbhadra river, before Vija-nagara was founded by the fugitives from Warankal.

*General Remarks.*—We may take these inscriptions as relating to dynasties reigning south of the Narmada, in Maháráshtra, Konkan, and Karnátaka, the most ancient of which existed upwards of a thousand or 1500 years ago.

It may be, perhaps, useful to state shortly the principal of these dynasties. 1st. An ancient race of Jadow descent, whose capital was Mándya-Chéta-pura.

2nd. A still more ancient dynasty of Chámushya (Chohan) extraction reigning at Dhátapipura, and principally over Karnátaka. The existence, at this period, saka 900, or A.D. 1000, in the southern peninsula, of the Chola, Kardamba, and Ráshtra-Kúta dynasties, as they are alluded to in the history of the above family.

3rd. A family of Shiláhar (Silár) descent ruled at Thána, over 1400 villages in the northern Konkan, whose title was, the "Tagara-Country-Lord," which title seems to have its origin from the Konkan, &c. having been, in ancient times, under the king of Tagara, a city mentioned by ARRIAN.

4th. A dynasty of the same tribe reigned at Panalla near Kolapúr, over the Kolapúr country, part of Karnátaka, and the southern Konkan, which claimed the same title of Tagara-Country-Protector, as the above.

5th. A Jain race, whose capitals were Belgam, and Kalyáni, near Tuljapúr in the Dekkan.

6th. A rájá of Chálukhia descent reigning in Konkana.

7th. The Déogir or Dévagiri Jadow princes.

Taking the other dynasties alluded to in these inscriptions, and in other places also, we shall get the following list of dynasties to the south of Nerbudda river, which it may be interesting to recapitulate in the order of their apparent antiquity.

1st. The Jadow of the south, Vidya-pura.

2nd. The Chohan (Chamushya).

3rd. The Ráshtrakúta.

4th. The Kadamba at Banavasi.

5th. The Silar (Shilahara) at Thána.

6th. The Silar (Shilahara) at Panala.

7th. The Jain at Kalyáni.

8th. The Déogir Jadow.

9th. The Rájás of Vijayanagara, who overthrew the old kingdoms of Chola, Chera, and Pándya, in the south, and were ultimately driven from their capital by the combined efforts of the Dakhaní Sultáns.

Such is the historical sketch afforded by these inscriptions of the dynasties which existed, and the revolutions which were constantly occurring, before the Muhammedan conquest in the Dekkan, and southern peninsula of India.

The changes which have been made in the names of places since the conquest, and the great inattention paid by pandits to ancient history, except when connected with their religion, throw almost insurmountable obstacles in the way of fixing and determining the sites of many cities and countries, mentioned in these interesting records; but much more information may expect to be obtained on the subject, by the discovery of more similar inscriptions.

The authenticity of these grants seems undoubted: in the case of those of the Vijayanagara dynasty, Colonel MACKENZIE completely established this point. They are found generally in digging foundations, &c. and can be of no use to the finder. It appears probable, that many were concealed at the time of the Muhammedan invasion. The eclipses were also found, on calculation, to have occurred on the days mentioned in them.

These grants are drawn up in a regular form, according to the rules prescribed by the Sástras. They are often on three copper-plates, joined by a ring run through them. On the ring is the rájá's seal, being an impression of the figure of his tutelary deity, and sometimes containing his title. The document commences with an invocation to Ganésa and to the Kula-Swámi, or family god, and then proceeds to describe at length the reigns, descent, and exploits of his ancestors; all this in verse. Next his titles are enumerated in compound epithets, the seat of his government, his ministers; then a proclamation to his viceroys, &c. making known the grant, the particulars of which are then entered very minutely; and finally, the whole is closed with quotations from the Mahábhárat and Puránas invoking blessings on

the donor and those who respect his grant, and curses on those who shall revoke it.

From all the inscriptions as yet discovered, it appears, that the southern part of India has, from a remote period, been divided into several states, more or less independent of each other, and that the extent of the territory of each was more or less fluctuating, according to the power and energy of the prince; that, at times, a king of superior talent and ability may have reduced the others to a state of dependence; but that, generally, each province had its sovereign, and was even divided into more than one state.

Indeed, the observation of Colonel WILKS, in his *Historical Sketches*, is completely verified from the above remarks. Speaking of the state of things previous to the Muhammedan invasion, he says, "that long antecedent to this event, wars, revolutions, and conquests, seem to have followed each other in succession, more strangely complex, rapid, and destructive, as the events more deeply recede into the gloom of antiquity.

Before I conclude this subject, I must allude to two sets of inscriptions in an unknown character found in Guzarát. Doctor BABINGTON has made great advances towards the general deciphering of these characters; and, by the help of his alphabet, I thought I made out some words in one of them. The character, however, is different from what that gentleman has given, a few letters only bearing a partial resemblance. I still hope that the learned may succeed in reading them; and I have great reason to think the language to be Sanskrit, from my making out the first word to be the usual auspicious commencement *Swasti*. I could not, however, make out *srí* to follow it. These inscriptions must be from 1500 to 2000 years old, as Dévanágari has been generally used in Guzarát for the last 800 or 900 years.

Many important discoveries would follow the deciphering of these characters; the comparative antiquity of the Bandha Jaina and Bráhmanical religions would be ascertained, much interesting light would be thrown on the ancient history of India, and many of the present traditions would, it is probable, be found to be Bráhmanical impostures.

## REMARKS BY PROFESSOR WILSON.

IN all essential respects, these Inscriptions have been transcribed and translated with sufficient exactness to render them deserving of publication, as they afford many valuable accessions to the history of the north-western provinces of the Peninsula, from the tenth to the thirteenth century.

Inscription 1, records a grant made by a rájá named Kakka, or Kakkala, styled also Amoghavenka in saka 894 (A.D. 972). His capital is called Mándya k'heta, or Mánya kheta, supposed, with great probability, to be Man-khéra in the Hyderabad country. The rájá is a member of the Yádava family, or descendants of Yadu,—a lineage claimed by Hindú princes in various parts of India, in consequence of its comprehending the divinity Krishna. If any grants by this dynasty occur amongst the inscriptions in the Mackenzie Collection, they have not yet been examined or published, except those of the Yádavas of Maisúr. Lists, however, of rájás of this race are preserved in different places in the Karnatic, as at Pripeti, Chandragiri, and Vermatúr, to which they were benefactors, having reigned, it is said, at Náráyanvaram. The dates of their reigns are, according to the lists, from A.D. 808 to A.D. 1080, which should include the latter princes of the series specified in the inscription. There is reason, however, to distrust the chronology of the lists, and to place the rájás they specify between the eleventh and thirteenth centuries, making them, consequently, subsequent to Amoghaversha.<sup>1</sup> It is possible that after his time, the Yádava princes were compelled by political events to transfer their authority more to the eastward, or the south, or the two dynasties may have had nothing in common but the title or the tribe. I

Mr. WATHEN understands the Inscription to enumerate fourteen princes from the rájá first named, but it is probable that two collateral branches are described, the junior of which intermarried with the Ráshtrakúta princes of Chedi, and exercised an authority, nominally, at least, subordinate to the other. Akálaversha and Amoghaversha respectively, the last of either series, seem to be cotemporaries; and that the latter, notwithstanding his lofty titles, was inferior to the former, is implied by the expression, “meditating on his feet” (srí mad akálaversha pádány udhyáta), as one of the titles of Amoghaversha. These Yádava princes, it is clear, reigned over part of Ándhra,

<sup>1</sup> Mackenzie Collection, Introduction, cxiv.

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or Telingana; but it is not likely they enjoyed any great political power, notwithstanding their reputed conquests in Guzarát, Chola, and Pandya; for those countries, as we learn from other inscriptions of like date, were in the hands of other and more powerful princes at this period. The Ráshtrakúta Rájás of Chedi were Rájput chiefs in Berár and Gondána; for the situation of the ancient kingdom of Sisupála is always considered to be that of the modern Chandail, and in original Sanskrit writes Ranastambha, which, in the next inscription, is described as part of the Ráshtrakúta territories/is well known to be Chandail and Boghell, and lying south of the country termed Vindhyaparíwa, the skirts of the Vindhya mountains.<sup>1</sup>

If the series is to be considered as consisting of seven princes, the earliest vestiges of the Yádavas yet met with in the Peninsula, are to be placed about A.D. 867, for an average of fifteen years to a reign will be rather more than sufficient for the precarious authority and interrupted succession of Hindú rājás.

Inscription 2, particularises the descent of a Rájá Jagudekamalla, of a family there styled Chámushya: it is dated saka 946 (A.D. 1024). The designation of the family Mr. WATHEN conjectures may be an error for Chahumana or Chouhan. It is said, however, in the grant, that the names of Vishnuverddhana and Vijayáditya occur amongst the earlier rājás of this race, and princes so named, and equally characterised by devotion to Vishnu, are frequent amongst those of the race called Chálukya by Colonel MACKENZIE.<sup>2</sup> Amongst his inscriptions the grants of these rājás are numerous; they were sovereigns of Kalyan in Karnáta, or of Rájámakendri in the Circars. There are several in the name or title of the prince of this very inscription, Jajadeka malla of the Chálukya family. There is also a grant of Satyásraya, who is also here named, and several of a Chálukyan Jayasinha deva. The dates likewise correspond; the grants of Jagadeka malla extending from saka 939 to saka 960. There can be no doubt, therefore, that the same dynasty is intended, whether that be more correctly denominated Chámushya, or Chálukya.

It seems probable that this family was ancient, although the mention of fifty-nine kings, and after them of sixteen others who ruled in the south, may not be unquestionable authority for their existence. Indeed, grants of VISHNUVERDDHUNA and VIJAYÁDITYA, occur of as low a date as that of the present inscription, which would disprove the remoteness of their reigns, except that the titles are common to many individuals. In the present grant the correct specification of

<sup>1</sup> Calcutta Quarterly Magazine and Review, Dec. 1824.

<sup>2</sup> Mackenzie Collection, Introduction, cxv.

descents from the first JAYASINHA to JAGADEKA-MALLA, also entitled JAYASINHA, appears to be twenty-two, and the average above proposed would place the first of the series above A.D. 616.

The chief seats of the power of these rājās seem to have been the western part of Telingana, the north of Karnāta, and part of the Konkan; the latter of which they took from the Kadamba princes, and, in some inscriptions, they are accordingly called rājās of Kalyān and Banavāsi.<sup>1</sup> They seem also to have extended their authority northwards, forming alliances with the same family mentioned in the preceding inscription, the RASHTRA-KŪTA-Rājās; at the precise period of the grant they were engaged in hostilities to the south and west with the Chola or Tanjore prince and the rājās of the seven Konkans; rather an incongruous combination, except that the Chola Rājā may have possessed territory on the Malabar coast.

The translator has adverted to the curious maritime expedition recorded of MANGALĪSA for the conquest of Revati-dwīpa. I believe Colonel WILFORD has conjectured this to be Sumatra; but in the present instance it is more likely to be some place off the coast of Malabar.

The Konkan was the possession of the CHĀLUKYA rājās only by conquest, and it appears that they did not retain it long after the date of this inscription, the country having been taken from them, or, more probably, recovered from them by the Silāra rājās.

Inscriptions 3 and 4. There will now have been published four inscriptions relating to the Silāra Silyāra, or Silāhāra family. The oldest, dated saka 939 (A.D. 1017), appears in the first volume of the *Asiatic Researches*, as noticed by Mr. WATHEN. The next in order of time is No. 3 of the present collection, being dated saka 948 (A.D. 1025), nine years later than the preceding, and in the reign of the successor of the prince whose bounty the earlier document records. Both memorials are the work of the same hand, being written by JOGAPAIYA nephew (brother's son) of the poet NĀGALAIYA. In the account of the donor's predecessors the two inscriptions are literally the same. They exhibit a series of eight or nine princes, commencing with KAPARD, whose date may be computed to be about A.D. 900; but they refer the remote lineage of these princes to JĪMŪTAVĀHANA, Rājā of Tagara. The actual rājās claim to be lords of the whole, or 1400 villages of the Konkan; their capital is supposed by WATHEN to be Puri, but this is doubtful, as *Puri* may mean merely either *a* or *the*

<sup>1</sup> Mackenzie Collection, Introd. cxv.; see the same for the Kadamba Rājās, p. xcvi.

city; and the residence of the rájá appears to be Sri St'hánaka, or Thána on Salsette. This insular position may have been of advantage to the Silára Rájá, Chinna Rájá, in whose reign the invasion of the Konkan, by the Chálukya prince, at the date of the preceding inscription (No. 2), must have taken place.

Of the other two grants by rájás of the Silár house, one is Mr. WATHEN's No. 4, dated saka 980 (A.D. 1058); the other, dated a century and a half later, saka 1113 (A.D. 1191), was translated by Dr. TAYLOR, and is published in the third volume of the *Transactions of the Literary Society of Bombay*. These two documents correspond, though not so exactly as might have been expected, in the earlier princes of the series — the latter, of course, adds several names to the list. They both relate to a different branch of the Silára race from that mentioned in the two earlier grants, and place their residence at Mirija (Meritch), and the neighbouring fortress of Padmanála (Pannalla). This principality may have grown out of the wreck of that of Sri St'hánaka, which it long survived. All the four inscriptions agree in the titles of these rájás; one is, "Lords of the Banner of the Golden Garura"—a title that might be thought to point out the origin of the Hindú coins, with the figure of an archer, and a banner on which a bird, perhaps Garura, is borne, and of which specimens are not rare, although the coin is ancient. But the more remarkable title is that of "Lords of Tagara," "Tagara pura paramesvara," inherited from the first sovereign JÍMUTAVÁHANA, and which, concurrently with classical notices of that city, establishes the genealogical existence of the Silára race for above ten centuries. The reference does not contribute to determine the site of Tagara, beyond generally confirming its position north of the Krishna, and not very far removed from the Konkan.

According to ARRIAN, the town of Plithana was twenty days' march south from Barygaza (Bawach); and Tagara, the central emporium of the commerce of the Dekkan, was ten days' march to the eastward of Plithana: the former was identified with Pultanah, or P'hultamba, on the Godaveri, and the latter with Déogurh, or Dévagiri Daulatábád, or Ellora.

In further elucidation of their respective situations, Colonel WILFORD observed, that the capital of Sálivahana, or Pratissthana, the Baitana of PROLEMY, the Peyton of our maps, lay half-way between Plithana and Tagara; and upon this addition to ARRIAN, GRANT DUFF objects altogether to WILFORD's theory, for Déogurh is not to the east of Peyton, but thirty-five miles due north. In point of fact, however, we have no concern with Peyton at all. ARRIAN mentions

only Plithana and Tagara, and if the former be Phultamba, WILFORD is right, for Déogurh lies to the eastward of it.

The greater resemblance of the name, and, perhaps, a nearer agreement of the distance, as well as the certainty that Peyton was a place of note, whilst we have no knowledge of the claim of Phultamba to antiquity or importance, would seem to indicate the former as ARRIAN's Plithana; but, as far as is yet known, there are no vestiges of any ancient city about a hundred miles east of Peyton, and it may reasonably be doubted if a city so far removed from the sea-coast would have given origin and denomination to the rájás of Thána and Meritch. In the present state of the inquiry, therefore, we cannot propose any identification more probable than that originally suggested by Colonel WILFORD.

Inscription 5 calls for no remark. In No. 6, we have a rájá of the Konkan reigning A.D. 1181; but the Tagara rájás of Pannalla were then in power, and Aparáditya is not named as one of them in Dr. TAYLOR's grant. This rájá must, therefore, have been confined to the Upper Konkin, or Choul, and its immediate vicinity. Inscription No. 7 shews, that the Sílára princes had also her near neighbours on the opposite quarter, or there would not have been a Jain contemporary ruling at Belgaum; this date of the grant being A.D. 1205, or only fourteen years subsequent to that of the Pannalla inscription.

Inscription 8 is fifty-six years later than the Jain grant, and exhibits another rájá, perhaps another family in this part of the Peninsula, if the Kalyan mentioned be that in the Konkan. It is more likely, however, to be the Kalyana of Karnáta, as that is described in various inscriptions in the Mackenzie Collection as the capital of the Chálukya rájás. In that case, we have evidence of their existence in this, and in inscription No. 2, for above six centuries.

Inscriptions 9 and 10 recur to a Yádava family, but one apparently unconnected with the Yádavas of inscription No. 1. The grants are dated in A.D. 1272 and A.D. 1290, or about three centuries later, in the reign of RÁMA CHANDRA DÉVA, of Dwáravati, being made by his officers, ACHYUTA NÁYAKA and KRISHNA DÉVA, governor of the Konkan. Mr. WATHEN conjectures this prince to have been the Rám déo of Déogurh at the period of the Muhammedan invasion of the south by ALA-UD-DÍN. The name and period correspond well enough; but there are insuperable objections to the identification. The term Dwáravati is not so vaguely applied as Mr. WATHEN supposes; and, when used as a proper name, can signify no other city than Dwáaraká, in Guzarát. It is true, that it is rather difficult to understand how some of RÁMACHANDRA's earliest predecessors should

have been ruling at Dwáraka as independent rájás ; for they must have been contemporary with some of the Chálukya sovereigns of Anhilwasa or Guzarát, at the more flourishing period of that powerful dynasty.<sup>1</sup> The inscription does not state what country these Yádavas originally occupied, and, as the series descends, their possession of part of Western Guzarát is not at all unlikely. The last rájá of any importance, BHÍMA DÉVA, was defeated, and his capital Anhillaputan, or Nehrwala, was taken by KUTB-UD-DÍN, A.D. 1196. In the confusion that followed the subversion of the paramount authority, it is very likely that a different race of princes, either feudatories or adventurers, established themselves in the western parts of the province, and extended their power along the coast into the Upper Konkan. The conquests of RÁMACHANDRA in Guzarát, Málwá, and Telingana, are vaguely and figuratively alluded to in the inscription, and have their origin more in flattery than in fact, although it is not unlikely that he may have been engaged successfully in contests with other petty rájás, or with the Muhammedans in those directions ; but it is not likely that he obtained permanent power so far to the eastward as Déoghír. We learn, indeed, from the Muhammedan writers,<sup>2</sup> that the Rájá of Khandesh was a prince of considerable power, and independent of Rám déo ; and his territories must have intervened between Déoghír and Guzarát and the Konkan, proving that the master, or lord of Dwáraka, must have been a different person from the Rájá of Daulatábád. It is worthy of remark, that the Yádava rájás of this inscription have names more of a Hindústání than a Dakhaní character, connecting them with the Rájput tribes of Rájásthán.

The remarks which it has thus occurred to me to make on Mr. WATHEN's inscriptions, are intended rather to suggest than to assert conclusions. We are not yet prepared to derive from the inscriptions hitherto published any positive facts beyond the name of the rájá who is the subject of the record, and his date. The lists of his predecessors are by no means entitled to equal confidence ; and these records are far from being unquestionable authority for events long anterior to the period which they themselves relate. Although, too, in general, they may be regarded as genuine, they may not be so invariably, and, even within the limited range to which we have access, many apparently incompatible statements occur which it is difficult to explain, except by impugning the accuracy or authenticity of the document. It is, therefore, clearly premature to generalise

<sup>1</sup> Asiatic Researches, vol. xvi. Inscriptions at Abu.

<sup>2</sup> Briggs's *Gerishta*, i. 307, &c.

upon such grounds, and before attempting to do so, it is indispensable that a careful collation of those which are available, and which are at all related, should be instituted; that their discrepancies should, if possible, be adjusted; and that the circumstances which they preserve should be compared with the same, as repeated in different inscriptions, or as they may be narrated by Muhammedan and Hindú writers. The places they specify should also be determined as far as practicable, by local research or reference to competent authorities. When these preparatory steps shall have been successfully traversed, it is very probable that we shall have a tolerably consistent and credible view of the dynasties of princes in the south of India, from the early centuries of the Christian era to the time of the Muhammedan conquest of the Dekkan. At present it is mainly desirable to accumulate accurate copies and translations of the original materials.

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PROCEEDINGS  
OF THE  
ROYAL ASIATIC SOCIETY.

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SATURDAY, FEBRUARY 21st, 1835.

A GENERAL Meeting was held this day ; the Right. Hon. the Earl of MUNSTER in the Chair.

Several donations of books were laid on the table ; among them were, from the Royal Society, the Philosophical Transactions for 1834. From Ram Comul Sen, of Calcutta, his Bengalee and English Dictionary (translated from Dr. Johnson's English Dictionary). From John Arrowsmith, Esq. his "London Atlas of Universal Geography." Thanks were ordered to be returned to the respective donors. An extract from Capt. Low's Account of Tenasserim was read to the meeting.

This being the day on which a diploma of resident-membership was to be presented to Lieut. Burnes, there was an unusually large attendance of the members of the Society and their friends. After the minutes of the preceding meeting had been read, EARL MUNSTER rose, and, having called the attention of the meeting to the principal object of their assemblage, proceeded to address himself to Lieut. Burnes as follows :—

"SIR,—In consequence of the unavoidable absence of our president, whose more important, though I am sure I can vouch for his feeling them to be not less interesting, duties, it falls to my lot, as vice-president, to state to you, in the name of the ROYAL ASIATIC SOCIETY of Great Britain and Ireland, the object of our having particularly requested your attendance here this day. I regret sincerely the absence of our President, because the gratifying pledge of the sentiments this Society entertains towards you, which it is their intention now to bestow upon you, would, I feel, have come in every way better from him : but should I fail in my duty, which is to express fully and with propriety the sentiments of the Society, it will not be so much their fault, or their want of conviction of your merits, as the fault of me, their organ.

"Allow me, sir, in the first place, to congratulate you, in the name of the Society, on the happy completion of your successful enterprise ; the personal risks and dangers of which have in no degree obscured its splendid results. Your journey, and the pursuits which you incorporated with it, through Central Asia, must be considered by the Society as most peculiarly embraced within the scope of those objects, for the attainment of which they are congregated, and for which also they received their charter ; they have, therefore, come to the unanimous resolution to present you with a special mark of their high approbation : and I would here observe, that however great the meed of applause may be which you have received from other learned societies, the value of whose honours I would by no means wish to depreciate, yet there is not any learned or scientific

body within the realm which is so well able to appreciate your merits, and, consequently, so proper to pronounce upon them as the Royal Asiatic Society.

"It may be difficult, therefore, considering the number, as well as the value of those encomiums that the societies to which I refer bestowed with so much justice upon you, to add to their applause. But, sir, I must be allowed to say, that the very fact of so many, and such distinguished bodies having showered their praises and honours upon you, is of itself a sufficient proof of your deserts; and it evinces, very strongly, the value of that new information which you have brought us, and how wide and extensive is the field which you have explored. Whether it be the sciences of geography or geology, antiquity or general literature; whether it be the politician, the soldier, or the merchant; whether it be the man of pure science, or the man of general research; all have alike admitted your high merits, and have anxiously hastened to do you justice.

"These various societies have sifted the stores you have brought home, and the result has proved how much more gold than sand they contain. Each has said and done so much towards honouring you, that it would be difficult to find any other society except this, the Royal Asiatic Society, the approbation of which could in any degree enhance your gratification. But we, sir, feel not only that we can, but that we may add to your praises and to your gratification; for we differ from all other institutions in this respect, that we claim Asia, with its mythology, its history, its antiquities, arts, and sciences, as the objects of our particular researches. Thus I am happy that the Royal Asiatic Society, though certainly not amongst the least, appears to be the last to offer you the honours within its gift: claiming as we do the power and ability to criticise and judge of your merits in the aggregate, we now, by our act, affirm, that whether the extent of your travels, the interesting points they have illustrated, the good they are likely to produce, the additions they have brought to the stores of science in almost every branch,—whether, I say, these points be considered singly or collectively, there can be no doubt that they place your enterprise at the very highest point of praise. To yourself, sir, it must be highly gratifying to have reopened to us a great river of antiquity, and a classical country; both of which, but most certainly the former, have been a sealed letter to Europe for two thousand years. It must be an equal source of satisfaction to you to have penetrated to the great seat of learning in the East, the *UMM UL BILAD*,<sup>1</sup> "the mother of cities," and to have joined her to the great family of mankind. But, sir, all this has been repeated to you so often, I fear *ad nauseum*, that I will not now detain you, or this meeting, by repeating it. I will, therefore, sum up my detail of your exploits by assuring you that the Royal Asiatic Society considers you to have performed for Central Asia what Bruce did for the Nile, and Denham and Clapperton for the Niger and Central Africa. Such are the results of your expedition; but whilst I thus refer to them, I must not conceal from you the high opinion which this Society entertains of your personal conduct, nor the fact that this public expression of their feeling is strongly connected with your diplomatic arrangements with the Amirs of Sindh; and bears as well on your enterprising character, as on your judgment under difficulties and danger, and on your discretion when in communication with the natives. I may say, indeed, with reference to the last point, that there is no society but that which now surrounds you which could estimate your difficulties, for there is no other society which possesses the means requisite to form a judgment on them. Nor can I refrain from commenting, in the highest terms, upon a circumstance which is alike honourable to yourself individually, and creditable to the character of your countrymen collectively, and which is likely to produce so much good in our future intercourse with Central Asia, namely, your having avoided all deceit, and your having on all occasions frankly avowed to the chiefs your rank, station, and country. Entertaining these sentiments towards

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you, the Royal Asiatic Society has, with one voice, unanimously resolved to go out of its ordinary course of proceeding, and to confer upon you an honour, of which I fear the narrow limits to which further inquiry is confined, renders it unlikely that there should be such another claimant. It is an honour which places you amongst us in the same situation that you occupy towards Europe, alone in your distinction. The diploma which I now have the honour to present to you, admits you, during your life, to all the privileges of a member of this institution, and altogether exempts you from the payment of the usual fees and subscription. Allow me, sir, to congratulate you upon becoming one of us; and permit me, at the same time, to mention, incidentally, a circumstance which it will doubtless afford you much pleasure to learn, inasmuch as it proves that the result of your travels was amongst the desiderata of this Society at an early period of its formation. A proposition was brought forward at that period to have a medal struck, to be offered as an inducement to enterprising individuals to take the very same journey which you have now accomplished. This proposition was not carried into effect; but, had it been adopted, I should now have had the gratification of placing that medal in your hands. I mention this circumstance without hesitation; for however strongly I may regret the inability of this Society thus to reward you, yet I have the strongest conviction that to a mind like yours, the spirit in which the Society makes the donation will alone be looked at, apart from any consideration of its value; and in this light I am certain you will regard the scroll of parchment with which I have presented you to be of equal value with the Kùh-i-Nûr.<sup>1</sup>

“Having now done my public duty, you must allow me, sir, to congratulate you individually, and to express the gratification I feel at making your personal acquaintance; and in the name of this Society I now wish you every success in that career in your profession which your talents and abilities will claim for you.”

Sir ALEXANDER JOHNSTON.—“I really must be permitted to make a few observations with reference to the occasion which draws this meeting together, for I feel it to be one of the most interesting which has occurred since I have had the honour to become a member of the Royal Asiatic Society. The services which have been rendered by the distinguished officer who now occupies our attention in a geographical, political, and moral point of view are inestimable. By fixing with accuracy the position of Bokhara, of Balkh, and of the western range of the great Himalaya mountains, this gentleman has done more towards the construction of a map which may be relied on of those countries, than has been achieved by any person since the epoch of Alexander the Great. We now see formed by his indefatigable industry and patient courage, an all but continuous link of communication between western Asia and the Caspian sea; we may shortly expect to find that the commerce which is carried on in the ports of that sea has been extended to the Hindû-Chinese boundaries; and we may, at no very distant period, look for its spread throughout the whole of northern India. The restrictions which have hitherto been placed upon the employment of British capital, owing to the obstacles which have been raised to all external intercourse with those countries, are now in a fair way to be removed, and the employment of the enormous resources at the command of Great Britain which are now locked up in inactivity, will give fresh life to that spirit of commercial enterprise which is so eminently characteristic of our countrymen. We may also very reasonably expect that, together with the extension of commerce, the attendant blessings of civilisation will be disseminated throughout the semibarbarous states of Central Asia; and that by means of that great moral power, the press—a power to which I confidently look as the ultimate means of civilising the globe and raising man in the scale of creation. It has but too often happened that persons from whose energies great discoveries have resulted, have perished

<sup>1</sup> Literally the “Mountain of Light.” It is the celebrated diamond of which Nadir Shah despoiled the Mogul, Shah Muhammed. It now forms part of the Persian regalia.

from sickness, fatigue, or other causes, before they have reaped the reward of their labours. It must, therefore, be a source of true joy and earnest congratulation, that such a fate has not befallen the individual who now stands before us. It is also a matter of further congratulation that the faculties, the age, and the health of Lieut. Burnes, are now in their prime, so as to enable him, not only to enjoy the fruits of his past exertions, but also to qualify him in the highest degree for making fresh ones. That such exertions may very soon be called for, is betokened by every appearance of the Oriental political horizon. The situation of Egypt; that of Turkey; the rise, within a comparatively recent period, of a great power in the north, which is now fast proceeding towards the north-western Persian provinces, all tend to create, not only a political, but a moral ferment in the East, which must end in the subversion of some states and the erections of new ones. The contest will most probably be decided in those countries which have been recently traversed by our new associate, and the information which he has brought us respecting them is thus rendered invaluable. I most confidently trust that the proceedings which have taken place this day in this Society, will point out to every man in India the advantage which is to be derived from enterprise like that of Lieut. Burnes; and that the rewards and honours bestowed upon him will stimulate others to make such efforts as are within their scope and sphere. I may also add, that I entertain a strong hope that the government, both in Great Britain and India, will be impressed with the necessity of availing itself of Lieut. Burnes's distinguished talents, and that he will be placed in a situation where they can be developed to their fullest extent: and I confidently anticipate that if their development be at all concomitant with the past, they will not fail to secure to him the transmission of his name to posterity under the most favourable auspices. I do, therefore, my lord, most heartily congratulate you, and this honourable Society, upon the accession of a member so distinguished as Lieut. Burnes."

Lieutenant BURNES then rose and said: "My Lord and Gentlemen—I have felt myself placed in many trying situations since my return to this land, but I have been placed in none more so than the present. The honour which this Society has done me, and the kindness of expression towards me on the part of your lordship, almost unfit me for reply. But I trust I am able to appreciate justly the applause of so eminent a Society, conveyed to me as it has been by one so distinguished by his rank, but not more distinguished in that respect than by his devotion to and zeal in the cause of Asiatic science and literature. I have the honour to see my name associated with many societies for the prosecution of science and learning, and amongst them are three Asiatic Societies in the East; but this circumstance has by no means rendered me indifferent to the approbation of the Royal Asiatic Society of Great Britain and Ireland. On the contrary, I had looked forward to the evening of life, after my period of active service had passed away, to join it. Imagine, therefore, my joy at finding myself, by an act of peculiar favour, chosen its adopted son. It is an honour to me of great value; for here, in this place, I find myself at home, amidst the productions of that country in which I have passed fourteen years of my life. Around me I see the monuments, the relics, the antiquities of India; and, what is still more pleasing to me, I see also many of those who had devoted their time and their talents to the illustration of those monuments. I feel myself again amongst those, whose associations, and whose connexions have been for years past identified with mine. I cannot, however, attribute the honours, the favours, which have been showered upon me to any merit which I possess. I am rather disposed to account for them by the novelty and high classical interest of the countries which I have visited. I hope, however, that I have been at least instrumental in pointing out that there is a rich harvest for the future inquirer in Central Asia, and I shall be contented to be looked upon as a gleaner in that wide field before the harvest is reaped; for I confidently trust that the journey I have performed will encourage future

and more talented persons to travel there. In the presence of the Royal Asiatic Society, I have now the pleasure to pay a debt of gratitude which has been long due to it. When that distinguished and amiable man, the late lamented Sir John Malcolm, assumed the government of Bombay, he was charged by this Society with communications to the Literary Society of Bombay: amongst them was a copy of the *desiderata* put forth by the Royal Asiatic Society. This paper, with a spirit finely characteristic of him, Sir John Malcolm had lithographed and extensively circulated at Bombay. A copy of it fell into my hands; and it was carried by me throughout my wanderings in Asia. Often when in the desert—often when in the city, far removed from civilisation, have I referred to that paper with the utmost advantage. My inquiries have often been guided by it into channels whither neither education nor inclination would have led me; and thus, gentlemen, by attending to your instructions and guidance, I have been enabled to fill up many a hiatus which would otherwise have remained void. It is, therefore, most gratifying to me, in the presence of this Society, to acknowledge my obligations to it; and I feel it to be my duty to offer, as a record to be placed amongst the archives of your Society, the identical paper which has been so long my companion, and so frequently my guide. I perhaps may venture, most respectfully, to recommend its yet more extensive circulation, because, as a *precis* of *desiderata*, I look upon it to be invaluable. I must now candidly confess, that I cannot, for an instant, allow myself to appropriate the honours, which you have conferred upon me, to myself individually. I am certain that their immediate effect will be of far higher utility than the mere gratification of the ambition or vanity of an individual. They will have their effect hereafter, by leading my fellow-countrymen in the East on to further exertions, who, whilst they are advancing the important interests of this Society, will be stimulated by the reflection, that the more correct and intimate their knowledge of Asia and its people is rendered, the better enabled will England become to govern her Asiatic possessions, with credit to herself and advantage to them; and the sooner would arrive that period, at which the blessings of her civilisation might be spread over them. I have now only, in conclusion, to reiterate to this assembly my earnest and grateful thanks for the distinguished honour conferred upon me. Your Lordship has alluded to the former intention of the Society to bestow a medal upon the individual who should first perform the journey from which I have returned. But I must be allowed to say, that I prize the honourable testimonial which I now hold in my hand far beyond the most precious medal. I shall regard it as the Indians do their *mantra*,—as a spell to excite me to further exertions; and if my past efforts may be considered to have entitled me to the possession of a document, of which I have so much reason to be proud, I can only say, that it will act as a double stimulus in future efforts, in all of which I shall be happy to receive this Society's instructions. A few days, gentlemen, and I shall be gone from amongst you; but that which has passed here this day will never be effaced from my memory whilst life endures, though I am now compelled to say, farewell." (Mr. BURNES then sat down, amidst loud applause, deeply affected.)

Earl MUNSTER rose, and addressing the meeting, said: "I had not anticipated having again so soon to return my thanks to Lieut. Burnes; but, sir (addressing Lieut. Burnes), I must say, that if you prize the diploma which you hold, you may rest assured that an almost equal value will be placed by the Society on the interesting paper which you have so kindly presented to us. Moreover, I am convinced, that if the praises and rewards within the gift of this Society shall call into life a further spirit of inquiry, the interesting document which has so long accompanied you will, by being placed among the relics to which you have alluded, be still more likely than ever to create a desire for enterprise and research; and I therefore shall move, that it be placed with care and veneration amongst the archives of this Society."

SATURDAY, MARCH 7<sup>TH</sup>, 1835.

A GENERAL Meeting was held this day; the Right Hon. Sir ALEXANDER JOHNSTON, Vice-President, in the Chair.

The minutes of the last meeting were read and confirmed. Among the donations presented to the Society were — from the Asiatic Society of Bengal, a Tibetan and English dictionary, by Alexander Csoma de Korös; and from Lieutenant Alexander Burnes, a camel-hair Bokhára cloak, worn by him on his travels in the Punjáb.

Thanks were ordered to be returned to the respective donors.

Thomas Ogilvy, Esq. and James Ritchie, Esq. were elected resident members.

The right hon. the Chairman, on the certificates of General Allard, General Ventura, and Monsieur Court, as corresponding members, being read a first time, took occasion to say, that the Council had directed the Secretary to recommend these gentlemen to the notice of the Society, in consequence of the assistance and advice which they had afforded to Lieut. Burnes and M. Jacquemont, whilst those travellers were resident at the court of Runjeet Singh. The chairman further expressed a hope that the Society would agree in the sentiments which the council entertained of these gentlemen, by conferring on them the only distinction at their disposal at present, it not being possible to elect them Foreign Members, as the numbers to which those members are limited were already filled up.

The paper read at this meeting was the continuation and conclusion of that read at the preceding meeting. Another article, selected from Captain Low's MSS. was also read, giving an account of the laws of the Burmans.

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SATURDAY, MARCH 21<sup>ST</sup>, 1835.

A GENERAL Meeting was held this day; the Right Hon. Sir GORE OUSELEY, Bart., Vice-President, in the Chair.

The Chairman, in calling the attention of the meeting, stated, that he had been requested by the Council, before proceeding to the usual routine of business upon these occasions, to read the following letter addressed by the President of the Society to Captain Harkness, the gentlemen who had held the office of Secretary to the Society for the last two years; and who, though from bad health and other urgent causes he was obliged to signify his intention of retiring from that office, had still kindly promised to consider himself as in temporary charge till some further arrangement could be made. He should now read the letter:

*“London, March 23, 1835.*

SIR,—The Council of the Royal Asiatic Society of Great Britain and Ireland have, by a unanimous vote, in which I most cordially concur, requested me to offer to you the expression of their great regret, that, from your being obliged shortly to return to India, and from the unfavourable state of your health, you are compelled to retire from the office of Secretary to the Society.

“The Council would have been truly glad still to endeavour to secure to the Society the advantages of your important services in that office, had the cogent reasons for your determination left them any other alternative than at once, though very reluctantly, to acquiesce. In doing this, however, the Council cannot but recall to mind the readiness with which you were pleased, gratuitously, to undertake the onerous and very responsible office of Secretary, and the

well-directed attention and complete success with which you have performed the duties of it. They are aware of the advantages you have rendered to the Society in various other ways, especially in the late appropriate change in the publication of the Transactions, the originating and the effecting of which they attribute entirely to yourself. They observe with pleasure, too, the strict regard to economy you have maintained in all needful expenditures; and, truly sensible as they are of the Society's great obligation to you, they will take an immediate opportunity of recommending that the Society record its grateful thanks to you for disinterestedly undertaking the office of Secretary in May, 1833; for the distinguished ability and zeal with which you have performed the duties of it since that time; as well as for the constant attention and unwearied endeavours you have devoted in other ways to promote the interests and prosperity of the Society.

"At the same time, the Council begs leave, moreover, to assure you it will always take a lively interest in your welfare and success: it solicits the continuance of your counsel and assistance, when these can be conceded during your stay in this country; and it is satisfied that it may rely with perfect security on your disposition, under all favourable circumstances, whether at home or abroad, to endeavour to forward the prosperity and the views of the Royal Asiatic Society.

"I have the honour, &c. &c.

(Signed)

"C. W. WILLIAMS WYNN,

"President."

The right hon. the Chairman then proposed the following resolution:—

"That this meeting has received the notification of Captain Harkness's wish to resign the office of Secretary; that it is fully sensible of the great advantages he has rendered to the Society; and that it still indulges a hope of being favoured with such literary assistance from him as he can conveniently bestow upon it, whether at home or abroad; that, on the present occasion, it can only record its grateful thanks to Captain Harkness for his disinterestedly undertaking the office of Secretary in May 1833; for the distinguished ability and zeal with which he has performed the duties of it since that time, as well as for the constant attention and unwearied endeavours he has devoted in other ways to promote the interests and prosperity of the Society."

The above resolution was seconded by the Right Hon. Sir Alex. Johnston, and carried *unâ voce*.

The minutes of the last meeting were read and confirmed.

Of the donations laid on the table may be especially noticed the following:

From the Rev. J. Roberts, his "Oriental Illustrations of the Sacred Scriptures." From Sir Charles Forbes, Bart., two impressions of seals, exhibiting the European style of armorial bearings, and which had been recently adopted by two native gentlemen of Bombay. From John M'Neil, Esq., nine works on religious subjects, in Persian and Arabic, being the first of the series printed at the press established at Tehran, by Abbas Mirza. From John Martin, Esq., an impression from his engraving of the Crucifixion.

Thanks were ordered to be returned to the respective donors.

Henry S. Græme, Esq., Capt. Morgan Chase, and Charles Purton Cooper, Esq. F.R.S. &c were elected Resident Members.

The paper read to the meeting was one selected from Capt. Low's MSS.

SATURDAY, APRIL 4TH, 1835.

A GENERAL Meeting was held this day; the Right Hon. Sir ALEXANDER JOHNSTON, Vice-President, in the Chair.

The minutes of the last meeting were read and confirmed.

Several donations of books were presented to the Society; among them were the following :—

From T. T. Rennell, Esq., a general Dutch History, in 8 vols. From Edward Thornton, Esq., his "India, its State and Prospects." From Dr. Mohl, his edition of "Y-King Antiquissimus Sinarum," &c.

Thanks were ordered to be returned to the respective donors.

The Chevalier General Ventura, General Allard, and M. Court, officers in the service of his Highness Maharājā Runjeet Singh, were elected Corresponding Members.

A paper, containing an account of Martaban and Tenasserim, selected from Captain Low's MSS., was read to the Meeting.

PROCEEDINGS  
OF  
THE ANNIVERSARY MEETING  
OF  
THE ROYAL ASIATIC SOCIETY,  
HELD ON SATURDAY, THE 9TH OF MAY, 1835.

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THE Twelfth Anniversary Meeting was held this day at one o'clock; the Right Honourable CHARLES WATKIN WILLIAMS WYNN, M.P., the President of the Society, in the chair.

The Minutes of the last Meeting were read and confirmed.

The Secretary then read the Twelfth Annual Report of the Council. (Vide p. xxiii).

The Report of the Auditors was read by Lieut.-Colonel Doyle. (Vide p. xxvi).

Colonel BLACKBURN observed, that the careful attention displayed by the auditors in their report was so evident, that it required no eulogy from him. He should, therefore, simply beg to move that the thanks of the Society be given to those gentlemen for their services; and that their Report, together with that of the Council, be received and printed. This motion was seconded by Sir Henry Willock, and carried unanimously.

Lieut.-Colonel DOYLE, in returning thanks on behalf of himself and brother Auditors, said, that although the general aspect of the Society's affairs was one of congratulation, it certainly would have been more agreeable could the Auditors have shewn a better state on the credit side of the Society's accounts; yet still he had no doubt that by active exertion the pecuniary means of the Society might soon be placed in a prosperous condition. He did not imagine, however, that any great reduction could be made in the expenditure of the Society, and, at the same time, allow the accommodation to members which was now afforded. But there was a mode by which these difficulties might be overcome. If gentlemen would only "put their shoulders to the wheel" by explaining the objects of the Society to their friends, and increase the number of contributing members, and also direct their efforts with a view to the procuring of public accommodation for the Society in some of the government buildings likely soon to be vacant; by such means the funds of the Institution would soon flourish. He trusted, however, that the next year's audit would be more favourable. It appeared, too, that a sum of three hundred and eighty pounds was due to the Society by the Oriental Translation Fund, an institution closely connected with the Society. It was an old adage, "that short reckonings made long friends;" and, for his part, he thought, that the sooner an adjustment of this account took place the better.

SIR ALEXANDER JOHNSTON, chairman of the Committee of Correspondence, read a memorandum enumerating the principal subjects which had engaged the attention of the Committee during the past year.

Sir Alexander then observed, in substance,<sup>1</sup> as follows :—

“ From the statement I have just read, the meeting will see that during the last year the Committee have directed their inquiries to two subjects in particular ; first, to the collecting of materials for compiling a history of the peninsula of India, south of the river Krishna ; secondly, to the best means of introducing the sciences of Europe amongst the Hindú population of that part of India. With a view to the first, they have taken measures for ascertaining the value and extent of the materials which compose the Mackenzie collection ; and for procuring such further materials as may be necessary to the completion of this work through the medium of the Hindú Society of literature at Madras, of which Lutchmiah, the late Colonel Mackenzie's head assistant, is the president.<sup>2</sup> The part of India to which these inquiries refer, is bounded on the north by the river Krishna, on the south by Cape Comorin, on the east by the coast of Coromandel, and on the west by the coast of Malabar ; and contains a superficies of about 140,000 square miles. This tract of country is of moral, commercial, and political interest, as well from its topography, population, languages, religious and civil institutions, agriculture, manufactures, and commerce, as from its ancient and modern history. The great chain of mountains, known by the name of the Eastern and Western Gháts, separate the two coasts of this peninsula, the western coast being open to the south-west, the eastern coast to the north-east monsoon. Where the mountains ascend above a certain height, neither the south-west nor the north-east monsoon breaks over them ; but where they are below a certain height, both monsoons break over them. In the Paligautcherry Pass, and in the Gulph of Manár, the influence of this chain of mountains, and of these two monsoons, is, independent of many other local circumstances, very great, both upon the vegetable and animal productions ; and produces a greater variety in this part of India than is any where to be found in the same space within the tropics, as is fully shewn, as well by the difference between the productions on the coast of Malabar, and those on the coast of Coromandel, as by the production of the pearl oyster, of the chank-shell, and of the different modifications of coral in the gulf of Manár. The population consists of the different descriptions of people who inhabit the Neilgherry and other mountains ; of the Hindú people who inhabit the low-lands, of the descendants of the Moguls and Arabs, and of people of the different nations of Europe who have from time to time established themselves in the several parts of the country. I must here mention that we are indebted to our secretary for an interesting description of the former people.

“ There are four principal languages ; the Telugu, which extends from the Northern Circars to Pulicat, and which, from its softness, bears the same relation to the other languages in that part of India, as the Italian does to the languages of the rest of Europe ; the Tamil, which extends from Pulicat to Cape Comorin, and which has a system of literature peculiar to itself, originating with the people amongst whom it is spoken ; the Malayal'ma, which extends from Cape Comorin to Mount Dilli on the Malabar coast ; and the Canarese, which extends from that mountain to the Concan, and throughout the Mysore territories. All four languages may be said to belong to one family, because they have the same roots, although they differ so much in other respects as not to be intelligible to the people who do not belong to the countries in which they are respectively spoken. They are not of the same family with the Sanskrit, because they

<sup>1</sup> As Sir Alexander was requested to reduce his observations to writing, we here only give such as were collected on the occasion.

<sup>2</sup> It is thought advisable, with reference to what Sir Alexander here, and in other parts of his observations alludes to, and to the difficulty which the public must necessarily experience in referring to the voluminous proceedings of the House of Commons relative to the renewal of the East India Company's charter, to give, attached to the report of this day's proceedings, a copy of his evidence before the House, wherein he specifically mentions the great value of the materials contained in the Mackenzie collection. (See page xxx).

differ in their roots from that language, though they all contain a great many words derived from the Sanskrit. I am indebted to our secretary, who has devoted so much of his attention to the people and language of the Neilgherry hills, and to the people of southern India generally, for a very curious fact relative to these languages. He tells me, if you extract from them all the words that are Sanskrit, you leave a language similar to the one which is at present spoken by the people of those hills.

"The religions which prevail in the Peninsula of India are the Brahmanical, the Budd'hā, the Jain, the Muhammedan, the Jewish, and the Christian, in all its subdivisions of Nestorians, Catholics, and Protestants. Of the institutions, that which particularly attracts the attention of the statesman and the moralist, is the division of caste, which, whatever merit or demerit it may possess, must be looked upon as a great moral and political engine by which an able statesman may produce the greatest moral and political changes amongst the Hindūs of India. There is a complete system of literature in the Tamil language, quite independent of that which belongs to the Sanskrit, containing works of its own on logic, metaphysics, ethics, and physics. A system of agriculture has been maintained from time immemorial, with the greatest care, by the construction of magnificent tanks or reservoirs for receiving and distributing the rain-water where there are no permanent rivers; and by the erection of stupendous artificial mounds for directing and changing the course of rivers, and distributing their waters in those parts of the country through which the great rivers take their course in their progress from the mountains to the sea. Barnard's map of the Jāghir affords a fine illustration of the first; and the map in this Society of the course of the Caveri, through the Tanjore country, of the latter. The muslins, and various other articles, shew to what perfection the people of the country can attain in their manufactures; the quantity of coarse cloths formerly made in the southern provinces shew to what extent the demand may exist for the manufactures of those provinces, even in the most distant parts of the world; for, in former days, the Dutch brought gold-dust from Sumatra, and other places to the eastward, then coined it into pagodas at Tutakorin, and with them purchased the cloths of the southern provinces, which, after being conveyed to Holland, and sold at Amsterdam, were painted at Bâsle, and other places in Switzerland, and then conveyed from Barcelona and Cadiz to all the Spanish colonies in South America.

"From the eastern coast, the people of the Peninsula carried on a trade with all the places in the Bay of Bengal, with all the eastern islands, and even with China; from the western coast, they carried on a trade with the Persian and Arabian gulfs, and through them with all the countries in Asia Minor and in Europe. This trade was coveted by every nation in Europe from the most ancient times, and was the object which, by leading Columbus to look for a short passage to the East, led him to the discovery of America; and that which, by leading Vasco de Gama to seek for a passage round the Cape of Good Hope, led him to the discovery of the passage by sea from Europe to India; and the great navigators who succeeded him, to the discovery of New Holland and all the places that have been since discovered in those regions.

"It was in consequence of the great importance that attached to an authentic history of this part of India, that the late Colonel Mackenzie first determined to make his collection. The following are the circumstances which led him to turn his mind to the subject. The present province of Madura, known in the days of the Romans by the appellation of the Regio Pandionis, had attracted great notice in those days, and an embassy was sent from the Pândyān kings to Augustus Cæsar at Rome. Even at that time the people of that country had a general system of education, a very extensive Tamil literature, and a college of great celebrity; literary merit was so highly esteemed by them as to overcome the feeling of caste; for Tiruvaluver, the author of many distinguished works in that language, though a Pariah by birth, was, owing to his literary attainments, elected, not only a member, but even the president of the college

at Madura, of which men of the highest caste, and highest distinction, were proud to belong. The same province became equally well known in Europe in the end of the sixteenth, and beginning of the seventeenth century, by the proceedings of the celebrated Jesuit mission, which was established at Madura by Robertus de Nobilibus, who was distinguished by his talents, and by the thorough knowledge he had acquired of the Sanskrit and Tamil languages; and who seems to have intended, had his plans succeeded, to have founded a college at that place, for the purpose of disseminating the principles of the Christian religion, and the sciences of Europe, through the country, in the same manner as a knowledge of Tamil literature had been circulated through the same country, by the ancient Tamil college established at that place. The province of Madura again became an object of literary interest in the eighteenth century, in consequence of my grandfather, the fifth Lord Napier, of Merchiston, having determined to write the life of his ancestor, John Napier of Merchiston, and to prefix to it a history of the knowledge which the people of India had of mathematics. It appearing by John Napier's papers, that he had, from the information he obtained during his travels, adopted the opinion, that numerals had first been discovered by the college of Madura, and that they had been introduced from India by the Arabs into Spain, and into other parts of Europe, Lord Napier was anxious to examine the sources from whence John Napier had derived his information upon this subject, and when he himself was abroad visited Venice and other places in Italy, in which he thought it was likely he should find an account of the information collected by the members of the Jesuit mission at Madura, upon this and other parts of Hindú science. Having been successful in obtaining some interesting documents relative to the object of his researches, he returned to Scotland, and submitted them to the then Mr. Mackenzie (afterwards Colonel Mackenzie), who had been recommended to him by Lord Seaforth, as a young man who had devoted himself to the study of mathematics. Lord Napier died before he had completed his life of John Napier, and Mr. Mackenzie, whose mind had been turned to the subject of Hindú science by Lord Napier, applied for, and obtained through Lord Seaforth, a commission in the East India Company's Engineers, on the Madras establishment, in order that he might have a favourable opportunity of prosecuting at Madura, the site of the ancient Hindú college, his inquiries into the knowledge which the Hindús possessed, in early days, of arithmetic, and the different branches of mathematics. On Mr. Mackenzie's arrival at Madras, finding that my father and mother (the latter being the daughter of his patron, Lord Napier, and then engaged in completing the life which had been commenced by her father), were stationed at Madura, where my father held a political situation of high trust under his friend Lord Macartney, he obtained leave from Lord Macartney, the then Governor of Madras, to join them. As soon as Mr. Mackenzie reached Madura, he began his inquiries relative to the ancient Hindú college of that place; and, in conjunction with my father and mother, formed the plan of reviving, under the protection of the English government, the Hindú college. In furtherance of this plan, my father having obtained from the Nabob of Arcot, the then sovereign of the country, some deserted ruins in the jungle, about a mile from the fort of Madura, which were supposed to have been connected in former days with the proceedings of the Hindú college, built upon them, at considerable expense, the house which has ever since been known at that place by the name of Johnston House, and which is still my property, laying out its different compartments, under the direction of Mr. Mackenzie, in such a manner as might best suit the adaptation of it as a building in which the mathematical instruction that Mr. Mackenzie wished to be circulated amongst all the natives of the country might be pursued. The pillars which supported this house were divided into six compartments, upon each of which all the diagrams were to be carved which were necessary to illustrate a course of arithmetic, geometry, mechanics, hydrostatics, optics, and astronomy, there being a building erected upon the roof, in which plane and spherical trigonometry were to be taught; two orreries

were to be erected, the one illustrating the Ptolemaic, the other the Copernican, system of the universe, and lectures were to be given in Tamil, Telugu, Malayalam, and Canarese, pointing out the superior utility of the Copernican over the Ptolemaic system, and the great practical utility to which the sciences of Europe might be applied in every department of practical knowledge. Mr. Mackenzie, shortly after he had finished this building for my father, was obliged to quit Madura on account of the public service, and the plan of the college was, owing to his absence, not then carried into effect. Mr. Mackenzie, some years afterwards, on passing through Madura in 1796, on his way to superintend the siege of Columbo, had extensive communications with several persons in the province of Madura, and in the other southern provinces, as to the practicability of recovering all the ancient histories of Madura, and of the other places in the south of the peninsula; and, in consequence of the result of such communication, formed a regular plan, which he studiously carried on for twenty-five years, for making the immense collection of historical materials, which forms the present Mackenzie Collection. In 1816, Colonel Mackenzie, finding his health rapidly declining, and anxious to leave some account of his collection behind him, in case of his death, asked me, with whom he had been acquainted from my earliest youth, to meet him at Madras, when he addressed a letter to me, which has been since published,<sup>1</sup> giving me a general view of his researches in India; with a request, that I would, in case of his dying before he had been able to arrange and publish a more detailed account of his collection, have it printed and published in such a manner as I might think proper. As I returned to England soon after, I mentioned the whole subject to the late Mr. Charles Grant, who was then chairman of the Court of Directors, and he, in consequence of the circumstances which I mentioned to him, determined to propose to the court, that Colonel Mackenzie should be permitted to come to England, on his full pay and allowances, and remain in England three years, for the purpose of arranging and publishing such an account of the materials he had collected, as would enable some person to write from them an authentic history, ancient and modern, of the southern peninsula of India. However, accounts of Colonel Mackenzie's death having reached England some time after, no further steps were taken upon the subject. I published the letter which Colonel Mackenzie had addressed to me, and wrote to Lord Hastings, the then Governor-General of British India, pointing out to him the great expense Colonel Mackenzie had been at in making the collection, amounting to upwards of 15,000*l.*, and expressing my opinion of the great utility of which such a collection might be to the British government of India. Lord Hastings having ascertained upon the spot the value and extent of this collection, with his usual liberality and feeling for all scientific and literary pursuits, purchased it from Colonel Mackenzie's widow for 10,000*l.* A catalogue of it, in two volumes, has been made by Mr. Wilson, the Professor of Sanskrit at Oxford; one portion of the collection is in the Company's library in England, the other portion is in India. On the inquiries which took place before Parliament, two years ago, relative to British India, I was examined before a Committee of the House as to this collection; and felt it to be my duty, not only to express my opinion as to its value, but to point out the necessity of measures being immediately taken by the British government for enabling the two Houses of Legislature to avail themselves of the information contained in it, by employing our secretary, Captain Harkness, and Lutchmiah, Colonel Mackenzie's native head-assistant, for completing and translating this collection in such a manner as Colonel Mackenzie would have done had he lived,—a step the more necessary owing to the age of Lutchmiah, and the impossibility, if any thing should happen to him or Captain Harkness, of finding any persons who were so capable as these gentlemen are, from their knowledge of Colonel Mackenzie's plans, of attaining the object which the legislature must have in view regarding this

<sup>1</sup> See *Journal of the Royal Asiatic Society*, vol. i. p. 333.

collection. Mr. Stewart Mackenzie, then a member of the Board of Control, and chairman of the committee, in the report of the committee, pointedly called the attention of the House to this subject.

"Conceiving that no time ought to be lost in taking such measures as might be requisite for completing in India the parts of the collection which might be defective, soon after I had been examined before the committee, I wrote out to Lutchmiah at Madras, enclosing him a copy of my evidence, and suggesting to him the propriety of his forming a native Literary Society at Madras, for assisting the Royal Asiatic Society in collecting the information which they might require to complete the Mackenzie collection. Lutchmiah has formed a native Literary Society at Madras, consisting of a great many zealous and well-informed Hindús, whose object is to collect such useful information relative to India as may be required, and to adopt such means as may be necessary for introducing the sciences of Europe amongst the natives of the southern parts of India; and has sent to us a printed copy of the regulations of that Society, which do honour to the zeal and good sense of the Society, and which are likely, if the Society be properly supported by the local government, to further the cause of science and literature throughout every part of the country. The council have, at the same time, at my suggestion, applied to the Court of Directors, to allow Captain Harkness to examine the part of the collection which is at the India House library, and ascertain what steps should be taken for publishing such portions of it as are completed, and for completing such portions as are still defective; it appears, by the report which Captain Harkness has already drawn up, a copy of which will, I trust, be attached to the proceedings of this day,<sup>1</sup> that the most authentic information relative to every part of the Southern Peninsula is to be found in this collection; that it contains, either in facsimiles or copies, between 9000 and 10,000 inscriptions, on copper or stone; and that he himself is of opinion, that it affords the most ample materials for writing an authentic history of the whole of the southern peninsula of India.

"From these circumstances, it is obvious that the Mackenzie collection does afford documents illustrative of what I have already described as one of the most important parts of our Indian possessions.

"With respect to the other subject of inquiry, the Committee of Correspondence have taken such measures as may be necessary to ascertain the best means of introducing in a more direct manner the sciences of Europe amongst the Hindús of the south of India. With a view to this point, they have inquired what degree of science they had attained in former days; what degree of encouragement was then held out to those amongst them who cultivated literature; and whether, raising their character by increasing their knowledge, is likely to increase their respect for, and attachment to, the British government.

"Science is employed in contemplating either the operations of the human understanding, the exercise of our moral powers, or the nature and qualities of external objects. When employed in the first, it is called logic and metaphysics; in the second, ethics; and in the third, physics. The committee have, therefore, endeavoured to ascertain the extent of the progress which the Hindús of India had, at any one time, made in each of those branches of science. It finds ample evidence in different parts of the poem called the *Mahábhárat*, that they had made about the same progress in logic and metaphysics when that poem was written, which is supposed to have been 1500 years before the Christian era, as the Greeks and Romans had made during the most enlightened period of their history: and it is, therefore, fair to infer, that they had attained great accuracy in defining their ideas, and in drawing correct conclusions from their definitions in the more ancient times; for a poem that was so popular as it was amongst the Hindús, must, in order to have been so, have contained modes of reasoning and opinions which were generally understood, and generally liked by the people amongst whom the poem was circulated. It is, therefore, fair to infer, that a poem of this sort, for the reasons I have just mentioned, affords the best evidence

<sup>1</sup> See page xxxvi.

which can be obtained of the opinions which were in general circulation in the country at the time the poem was written. The science of ethics has for its object to ascertain the difference between virtue and vice; the motives by which we ought to be guided; and the general rules for regulating our conduct in society. This science, judging by the opinions of the author of the *Mahābhārat*, seems to have attained amongst the Hindús the same degree of perfection 1500 years before the Christian era, as it did in Greece and Rome during the best days of the Stoic philosophy. In the science of law, the Hindús, according to the institutes of Menu, and their most ancient law-tracts, seem to have made as great a progress in the earliest times, as the Greeks seem to have done in the days of Justinian; and to have exceeded the Greeks, and even the Europeans of the middle ages, in that branch of it which related to commerce; the laws of the Greeks and the laws of the English having, up to the seventeenth century, restricted the allowance of interest on all contracts to a fixed sum without any exception whatever—the Hindú law, on the contrary, always making a distinct exception in cases of adventures at sea; though such an exception had never been made in the laws of England till the time of Charles I., when a knowledge of the true principles of commerce had made great progress in England.

“In physics, the progress of the Hindús seems to have been equally remarkable in the earliest period of their history. In arithmetic, they were always believed to be the first who adopted the system of notation by ten numerals, instead of following that of noting by the letters of the alphabet. The mode of noting by ten numerals, which consists in giving the figures a particular value or a particular power, according to the relative position in which they are placed, is an invention of the greatest importance from its simplicity and its ingenuity, and from the effect which it has had in promoting and facilitating the progress of science. It was known to the Hindús, though unknown to the Greeks and Romans, who always used the letters of the alphabet, instead of numerals, in their calculations; and the notation by numerals was first introduced into Europe by the Arabs, when they conquered Spain in the seventh and eighth centuries, and though at present so universally used, was at first confined to scientific persons, and not introduced into the common transactions of life until two or three centuries afterwards. This knowledge of numerals, for which Europeans are indebted to the Hindús of India, assisted Napier in his discovery of logarithms; Kepler, in his calculations of the orbits of the planets; Sir Isaac Newton, in all the sublime calculations which he made with respect to the system of the universe; and La Place, in the celebrated discoveries which he made in very recent times. It is generally observed, that where a people have made great progress in arithmetic, they have also made great progress in other branches of science, arithmetic being the great engine through which such progress is made. For some years the world was not aware of the great progress which the Hindús had made in other branches of science, although they were perfectly aware of the progress they had made in arithmetic. Laloubere, a man of great research, who was sent by Louis XIV. on a mission to Siam, was the first person who in modern days brought to Europe any document shewing the nature of the Hindú astronomical tables. He brought to France a copy of the Siamese table, which was a subject of a good deal of consideration to the astronomer Casini. The French subsequently brought to Europe the Hindú astronomical tables found at Krishnapuram, those found at Narsapur, and, finally, those found at Trivalore, a place twelve miles to the west of Negapatnam; these three places are all situated in the southern peninsula of India. The astronomical tables found at Trivalore are supposed to have been formed upon observations made 3000 years before the Christian era,—a fact which Bailly and Playfair both conceived to be proved, as they found, upon calculating back to the time when these tables were supposed to have been formed, that the situation of the heavenly bodies must have been precisely such as described in these tables. Bailly and Playfair also remark, that the Hindús could not have formed these tables without an extensive knowledge of geometry, and of plane and spherical trigonometry, or of some substitute

for them. It is also remarked, that these tables must have been formed at some of the places in the Southern Peninsula, which are situated between the Hindú meridian, which runs through Cape Comorin, and that which runs through the eastern part of Ceylon, and, consequently, not far from Madura, the ancient seat of the celebrated Hindú college. From what has been said, as to the great progress made by the Hindús in logic, in ethics, and in physics, it is obvious, that the Hindús are capable, if properly instructed, of attaining the highest degrees of knowledge and science.

"With respect to the motives which are likely to stimulate them to direct their attention to science, it appears, if we refer to the literary age of Vikramáditya, in the north of India, and to that of the Hindú College of the south of India, that the rewards which were held out for the encouragement of literature were public honours and distinctions. We have evidence that the love of public honours and distinctions is at this moment one of the strongest motives for exertion amongst the Hindús, this is proved by the avidity with which such of them as have been appointed under the new act, king's justices of the peace, have claimed from government, and received the honorary title of esquire, and by their having applied to Sir Charles Forbes to have seals made for them in this country, with arms engraved upon them descriptive of their families, and of the manner in which they, or their ancestors, have distinguished themselves.

"With respect to the feelings which they are likely to entertain for the individuals who have taken means for raising them, either by a scientific education, or by conferring upon them political rights and privileges, we have evidence in their affection for and conduct towards Sir Charles Forbes. If we refer to the proceedings of parliament when Sir Charles Forbes, fortunately for the natives of India, had a seat in the House of Commons, or to the proceedings of the Court of Proprietors of East India Stock, we invariably find the name of Sir Charles Forbes associated with every measure that is calculated to raise and protect the natives of India. The natives of Bombay, some time ago, sent to England a petition to the House of Commons, signed by between four and five thousand inhabitants of all the different religious sects, and of all the different castes of the inhabitants of that presidency, asking for those privileges and rights which they think of importance to themselves. They wished this petition to be entrusted to a person of whose friendly feelings to them they were all thoroughly convinced; and though the persons signing it differ from one another upon every other point, they all agreed in this one, that Sir Charles Forbes, from his invariable conduct in endeavouring to raise them in society, was the fittest person to patronise this petition.<sup>1</sup> Sir Charles Forbes has lately given a copy of this petition to the Society; it is a curious document, from the number of autograph signatures to it of people of all religious persuasions and castes at Bombay; and enables me to produce the strongest evidence which can be afforded, of the feelings which the natives of India will always entertain for an individual, or a government, who may take measures for raising their moral and political character.

"From all these circumstances I am authorised to conclude, that the Hindús of the Peninsula of India, having, in former days, when properly encouraged, made the greatest progress in science and literature, may at present, if so encouraged, make equal progress: that public honours and distinctions were the cause of that progress in former days; that public honours and distinctions may be rendered an efficient cause of the same progress in the present day; and that the government which endeavours to raise their character will be looked upon by them as deserving of full confidence and affection. Of this we have the strongest proof in the history of Akbar. That great and enlightened sovereign, after the

<sup>1</sup> As this document, written by the natives themselves in three different languages, in order that all those who signed it might be aware of its contents, affords a curious illustration of the present views of the people of India, a copy of it is inserted in this Journal.

most minute inquiry into the character of his Hindú subjects, declared them to be as worthy of his protection and encouragement as his Muhammedan subjects; and his celebrated minister, Abulfazi, after an equally attentive observation of their character and capacity, declared them to be persons worthy of the greatest respect and highest confidence; and a people who had attained the greatest distinction in arts, science, and literature. Upon these views the Emperor Akbar, during a very long reign, acted towards the Hindús, and received from them, at his death, the title of "Guardian of Mankind."

Sir GEORGE STAUNTON rose to move a vote of thanks to Sir Alexander Johnston for his very able Report, accompanied by a request that he would reduce his observations to writing, in order that they might be printed in the Journal. He said he felt assured that every one who had listened to that Report, and who was aware of the important services which Sir Alexander had rendered to the Society from year to year since its first institution, must be happy to take this mode of conveying to him the expression of the grateful feeling of the Society, and its wish that the very valuable information he had given them should be preserved in a permanent shape on its records. He thought it would be a waste of words to detain them longer in direct support of the motion; but he felt it to be his duty, looking to the interests and future welfare of the Society, to draw their attention to the advantage it would derive from so excellent an example being more generally followed. While the Society comprised within its limits so many distinguished individuals, capable, from their talents and experience, of promoting in a similar manner the important objects for which it was instituted, it was to be hoped that they would not suffer their powers to remain dormant, but exert them with the same zeal and perseverance as exhibited by his right honourable friend. Sir George said he felt more anxious at this moment to draw the attention of the meeting to the expediency of increased exertions on behalf of the Society, as it seemed to him that it had now arrived at what might be considered a critical period of its existence, at its twelfth anniversary. It was a matter of congratulation that it was now completely organised, and that it included in its lists almost every distinguished name, native as well as foreign, in Oriental literature. It was now not merely a literary and scientific institution for the interchange of useful and agreeable information among its own members, but it evidently possessed powers of collecting and diffusing information respecting the condition and interests of our vast Indian possessions, the cultivation of which was of great public and national importance. But it was impossible that these powers could be fully developed in the publication of the numerous communications they had received, and in the suitable disposal for general benefit of their increasing library and museum, without some public assistance. It was obvious that, with every private exertion that could be made, the Society must languish in comparative inefficiency without some kind of national support. He ventured, therefore, respectfully to appeal to the members of the Society who were of his Majesty's privy council, and especially our distinguished president, whose representations of its claim to suitable apartments for its accommodation, whenever any were at the disposal of government, he felt convinced, whatever political party might be in power, must ultimately be listened to. He hoped he might also venture to make a similar appeal to the directors of the East India Company who were members of the Society; well knowing that the liberality of the Company, when appealed to on just and public grounds, had never been wanting. The government and the Company could not but feel, that such an association of talent for the diffusion of knowledge connected with our Eastern possessions, was an instrument in their hands that they could not create; but which, since it now existed, it was most desirable, as well as politic, to foster and cherish for the public benefit.

Sir George said he could not sit down without adverting to the lamented loss of the Rev. Dr. Morrison, noticed in the Council's Report. Having maintained an unbroken literary and friendly intercourse with that amiable and eminent

individual for twenty-seven years, he had peculiar opportunities of estimating his worth. When he reflected on his vast work of a complete English and Chinese dictionary, and his entire version of the Holy Scriptures into the Chinese language, and the important uses of these two great achievements, he could not but consider that such a union of Christian zeal and eminent learning, so usefully devoted to the good of mankind, had rarely, if ever, been exceeded. Sir George concluded by submitting a motion of thanks to Sir Alexander Johnston, which was seconded by James Alexander, Esq. and carried unanimously.

Lieut.-Colonel SYKES suggested, that, as apartments in Somerset House were likely, he understood, to be vacated by another society, he thought an early opportunity of putting in a claim for them should be taken by the Society.

CHARLES ELLIOTT, Esq. in moving that the thanks of the Society be voted to its venerable director, could not, he said, allow this opportunity to pass without reiterating his expression of extreme regret that ill-health had so long deprived the Society of that gentleman's personal assistance. Seconded by Samuel Dyer, Esq. and carried unanimously.

The Right Hon. Sir ALEXANDER JOHNSTON proposed a vote of thanks to the Right Hon. C. W. Williams Wynn, the president of the Society, which was seconded by Sir George Staunton, and carried unanimously.

Mr. WYNN, in returning thanks, said he really had on so many occasions, during his twelve years' presidentship to the Society, received the kind support of the members, that he could not doubt of that kindness being still continued to him, however feeble might be his efforts to deserve it. He had great pleasure in witnessing the very full attendance here this day; and that fact was itself a powerful argument to shew how desirable it was that the Society should be more advantageously located. Gentlemen would allow him to say, that he felt the importance of this object as strongly as any person; nor had he been wanting in his endeavours to forward it. With respect to the apartments at Somerset House, a representation on behalf of the Society had been made, three or four years ago, to Lord Althorp, and, since that time, very recently to Sir Robert Peel, and he must say that both these parties received the representations in the most favourable manner. However, it seemed to him very doubtful, as regarded the rooms in Somerset House, whether they would not be required as public offices for the use of government. Moreover, it was not at all likely that the apartments in question would be vacated in so short a time as a year, as the new National Gallery would scarcely be completed in that period. He had been assured, that when that time did arrive, the claims of the Asiatic Society would meet with due attention, and would be considered as at least equal to those of any other Society.

After a short eulogium on the late Dr. Morrison and Major-General Hardwicke, whom the Society had lost during the past year, the right honourable gentleman went on to say, that, since the last anniversary, two circumstances had happened, to which he could not help alluding. The one was the publication of the valuable and interesting Travels of Lieut. Burnes, a second edition of which was now before him. The Council of the Society had already presented that gentleman with a diploma as Honorary Resident Member of the Society; and although the value of that presentation was, in a pecuniary view, a trifling matter, it was a distinction which the Society had conferred on Lieut. Burnes alone, and, as such, fully, proved its high sense of the merits of that distinguished traveller.

The next circumstance was the mission of Capt. Chesney to investigate the practicability of establishing a communication by steam with India, either by the Euphrates or the Red Sea. If that were done, we should bring India more immediately within our scope; and should then be enabled to communicate and receive an answer to our letters in four months, while now it took at least a year. He also looked to that expedition as being calculated to furnish much valuable informa-

tion on many subjects, as Capt. Chesney was accompanied by several able and scientific coadjutors. He felt we were highly indebted to the late president of the Board of Control, now Lord Glenelg, and to another gentleman, whom he had the pleasure of seeing in the room, Mr. Stuart Mackenzie, for that mission; and, also for the peculiar interest they had shewn in all matters connected with India. The right hon. gentleman concluded by thanking the members for the kind way in which they had voted the thanks of the Society to him; and expressed his hope that he should have the happiness of meeting them at the dinner that evening.

Upon a remark being made by Colonel Sykes, Mr. Wynn observed, that if, as was possible, the museum of the East India Company should be united with the Society's, still greater space would be required; but that he was sanguine, on such an event, accommodation might more readily be procured, and that the Society would then soon be relieved from the present heavy expense it was at for house-rent.

Sir GEORGE STAUNTON said, in allusion to the contending claims of societies, Lord Althorp had expressed his opinion that, if a vacancy should occur in any public building, the claims of the Royal Asiatic Society should have the preference.

Sir ALEXANDER JOHNSTON remarked that, as the Society might be made a powerful auxiliary for the good government of India, its support should be considered by an enlightened government as a matter of the greatest moment.

JOHN GOLDIE, Esq. moved the thanks of the meeting to the vice-presidents of the Society, which was seconded by Sir Ralph Rice, and carried unanimously.

The Right Hon. HENRY ELLIS rose to move a vote of thanks to the council, on whose exertions, he said, much of the Society's success depended. In reference to the late Dr. Morrison, Mr. Ellis mentioned an instance which had come under his own observation, and which proved the value of that learned man's labours in a national point of view. On that occasion, a very difficult paper was put before the Doctor, to be translated into Chinese, which he did with as much ease as the draft had been written with, and, he believed, in a perfectly unexceptionable style. He thought that that extraordinary individual deserved some mark of national gratitude.

J. A. STUART MACKENZIE, Esq. in seconding the motion, remarked, that he thought the best method of procuring some public support for the Society would be, to make an application to parliament, and he hoped the right hon. president would undertake to bring the matter before that house. He did not doubt that the claims of this Society, so intimately connected as it was with the future interests of India, would meet with a fair consideration from any government. He took blame to himself, that this should be the first anniversary of the Society at which he attended;—more especially when he remembered how long he had been connected with the Board of Control. It would now, however, be his gratifying duty to endeavour to make up for lost time, by paying in future double attention to the interests of the Society, when he had no longer the honour or advantage of being a member of that board. India and Indian interests must become familiarised every day, more and more, to Englishmen; and this Society could not fail to exercise a most beneficial and essential influence in advancing a more general knowledge of all that was connected with our mighty eastern empire. He felt flattered by the manner in which his name had been noticed by the right hon. president, to whose discretion he wished to see intrusted any motion before parliament which should have reference to this Society and its advancement, when it should receive his best attention. It would always be a source of satisfaction to him to have had his share (however humble) in the inquiry which was carried on last session before a committee of the House of Commons, and which terminated in so liberal a grant of public money as parliament had placed at the disposal of the government, with a view to put to the test of experiment, by

an expedition under Captain Chesney, the practicability of facilitating the communication with India by means of steam-navigation on the river Euphrates;—a measure of the deepest interest and importance to our empire in the east, whether considered in a commercial or political point of view. Whatever might be the issue of this great experiment, he should always be ready to take a full share of responsibility in supporting the grant of public money for this most arduous and interesting enterprise.

The motion was then put from the chair, and carried unanimously.

ANDREW MACKLEW, Esq. proposed that the thanks of the meeting be given to James Alexander, Esq. the Society's treasurer: seconded by Richard Clarke, Esq. and carried unanimously.

Mr. ALEXANDER, in returning thanks, observed, that, as treasurer to the Society, he only wished he could see a solid and regular increase in the revenues of the institution; but truth compelled him to say that at present it was not the case. He did not like the Society trusting to contingencies; he wished it to be able to look every proper object in the face. He thought he saw a prospect of an increase of expenses without a corresponding increase of funds. He, therefore, called upon every gentleman present to use his utmost exertions to augment the income of the Society.

Capt. J. MICHAEL moved a vote of thanks to the secretary of the Society, expressing a hope that it might long enjoy his valuable aid: seconded by Col. Boardman, and carried unanimously.

Capt. HARKNESS said, he felt highly gratified at the very flattering manner in which his name had this day been mentioned. It would always be a pleasure to him to afford any aid in his power to promote the prosperity of the Society; that aid, indeed, was feeble, and but little deserving the eulogy with which it had been alluded to; but of one thing he was sure—that it was given with a perfect willingness of heart and mind; and, in the same sincerity, he now begged to return his best thanks.

The Right Hon. Chairman submitted to the meeting a recommendation from the council, "that the chairman, for the time being, of the Honourable the Court of Directors of the East India Company, be requested to accept the office of Vice-Patron of the Society."

On the question being put, it was unanimously resolved that the recommendation of the council be adopted.

The Chairman then submitted the following recommendation of the council, "that his Majesty Muhammed Shah, Shahen Shah, King of Persia, and His Highness Mahārājā Runjīt Singh, Rājā of the Punjāb, be elected honorary members of the Society."

Carried unanimously.

The meeting then proceeded to ballot for the officers and council for the ensuing year, Henry S. Græme, Esq. and Thomas Newnham, Esq. being nominated scrutineers. On the termination of the ballot, the president announced that all the officers were re-elected, and that the following changes took place in the council:—Sir R. Rice; Sir C. Forbes, Bart.; N. B. Edmonstone, Esq.; Lieut.-Colonel C. J. Doyle; Major Carnac; Colonel Francklin; Major Close; Richard Clarke, Esq.; in the place of the Hon. Mountstuart Elphinstone; Sir R. H. Inglis, Bart.; W. B. Bayley, Esq.; Lieut.-Colonel Bowler; Lieut.-Colonel W. M. G. Colebrooke; Charles Elliott, Esq.; Richard Jenkins, Esq., and Professor Wilson.

The next General Meeting was announced for the 16th instant.

**REPORT**  
**OF THE**  
**ROYAL ASIATIC SOCIETY**  
**OF**  
**GREAT BRITAIN AND IRELAND,**  
**FOR**  
**THE YEAR 1835.**



# TWELFTH ANNUAL REPORT

OF

## THE COUNCIL.

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MAY 9TH, 1835.

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THE Council of the Royal Asiatic Society is again called upon, at the close of another year, to lay before the members a brief review of the Society's history and proceedings during that period; and, in performing this part of its duty, it has the gratification of being able to appeal to the facts contained in this Report, for the most satisfactory evidence of the Society's extended usefulness and undiminished prosperity.

The Council has the painful task of premising, with deep regret, in which it is persuaded the members of the Society will fully participate, that, although the venerable director, Mr. Henry Colebrooke, still gives the Society the sanction of his name, and takes the warmest interest in its welfare, the unfavourable state of his health continues to disable him from performing those personal services, which, from his great talents, his profound erudition, and correct judgment, have been, at all times, so valuable and important, and so highly and justly appreciated by the Society.

Although, from the auditors' Report on the pecuniary receipts and expenditures, it is seen, that, at the end of the year 1834, a balance of 50*l.* 1*s.* 4*d.* remained due by the Society to the treasurer, yet the Council feels assured, that, when the members take into their consideration the necessarily large expenditure attendant on the publication of the elaborately illustrated work of Rām Rāz on Hindū Architecture, this balance must appear to them extremely small. And the Council trusts, that the credit reflected on the Society by bringing before the public a work of so much rarity and importance, will fully compensate for the temporary encroachment of this expenditure on the funds of the institution.

The Council deems it a matter of congratulation, that the number of deaths and retirements of the members of the Society, since the last anniversary, has been less than in most former periods; while the number of elections of new members has exceeded the usual average, leaving a considerable numerical balance in favour of the Society.

In recording the names of those members of whom the Society has been deprived by death during the last year, the Council has the painful duty to enumerate the following:—The Right Hon. Earl Bathurst, K.G. F.S.A.; the Right Hon. Earl Spencer, K.G. F.R.S.; Baron William Von Humboldt; Major-Gen. Thos. Hardwicke, F.R.S.; Lieut.-Colonel David Wilson; the Rev. Dr. Morrison, F.R.S.; Major James Franklin, F.R.S.; John Caley, Esq. F.R.S.; Thomas Snodgrass, Esq. F.R.S.; Francis Shore, Esq.; Patrick Heatly, Esq.; Robert Dent, Esq.; John St. J. Long, Esq. M.R.L.S.

The important and valuable additions which have been made to the library and museum during the past year, call forth the warmest acknowledgments of the Council towards the several donors.

It would be a pleasing task to pass in review all those donations; to mark in how many instances they have supplied deficiencies, and how many distinguished

names have taken this method of expressing their good-will towards the Society, and their desire to further its objects. But the limits of this Report forbid a detailed enumeration, and oblige the Council to restrict itself to the notice of a few only of those contributions which appear to possess peculiar interest or value.

Captain James Low has forwarded to the Society a voluminous manuscript account of Tennasserim, drawn up by himself during his residence in that country, and illustrated with numerous maps and drawings.

Of the interesting and original information which the author has collected by personal observation and inquiry, the Society has had an opportunity of judging from the extracts which have been read at its late meetings; and the Council further intends to enrich, from time to time, the pages of the Journal with the more attractive portions of the work.

Mr. Shakespear has presented a copy of the third edition of his *Hindústání and English Dictionary*, of which the learned and indefatigable author has enhanced the value (already so high in the estimation of the first *Hindústání* scholars), not only by numerous additions in the body of the work, but also by appending a copious index, fitting it to serve all the purposes of an English and *Hindústání*, as well as a *Hindústání* and English dictionary. The "Additional Part," embodying a large collection of words in the *Dakhaní* dialect, supplies a desideratum long felt by the *Hindústání* student.

There has also been received from the learned Professor Garçin de Tassy his critical edition of the complete works of Wálí, a highly popular *Hindústání* poet. The publication of this work, written in the dialect of the Dekkan, supplies another desideratum in *Hindústání* literature, and forms a seasonable and useful accompaniment to the work above mentioned.

Professor Flügel has presented his accurate edition of the Arabic text of the *Korán*, printed in a beautiful and distinct type, cut expressly for the purpose, under the superintendence of Tauchnitz, the spirited publisher of the work.

To that distinguished hydrographer, Mr. John Arrowsmith, the Society is indebted for the valuable present of his "*London Atlas of Universal Geography*, exhibiting the physical and statistical Divisions of the various Countries of the World."

This work, the fruit of much patient and laborious research, and embodying the results of the latest discoveries of travellers, reflects equal credit on the industry and talents of its author.

From the Asiatic Society of Bengal, the Society has received a copy of the "*Dictionary of the Tibetan Language*," by M. Csoma de Körös, the learned Hungarian, of whom a biographical notice appeared in the first volume of the Society's Journal.

Ram Comul Sen, of Calcutta, has forwarded a copy of his "*Dictionary, English and Bengali*, compiled from Tod's edition of Johnson's *English Dictionary*."

The establishment of a printing-press at Teherán, by the late Abbás Mírzá, must suggest the most agreeable anticipations to the minds of all who rejoice in the spread of civilisation, or take an interest in the progress of Asiatic improvement.

To the kindness of Dr. McNeil the Council has to acknowledge its obligations for the possession of nine folio volumes, the first of the series issued from the Teherán press. They consist of a well-printed edition of the *Korán* in Arabic; and of the theological works of Muhammed Bákir, comprising a history of the prophets, from Adam to Muhammed, an account of Muhammed and his companions, and a body of theology, according to the Shíah doctrines.

Sir George Staunton has presented a large and elaborate model of the pagoda and convent of priests at Canton, which was assigned for the residence of the British ambassadors and their suites in China. Also, an original painting in oil, by a Chinese artist, representing a court of justice held at Canton.

To Sir Henry Willock the Society is indebted for eight casts from the sculp-

tured ruins of Persepolis, together with some Babylonian curiosities presented by him in the name of his brother, the late Capt. Willock, R.N.

Besides the numerous individuals who have contributed to the library and museum of the Society, the Council is proud to acknowledge the courtesy of the following institutions, in contributing copies of their Transactions—some in exchange for the Transactions of this Society, some altogether gratuitously.

L'Académie Impériale des Sciences de St. Petersburg; the Literary Society of Batavia; the Royal College of Surgeons in London; the Medico-Botanical Society; the Society for the Encouragement of Arts, Manufactures, and Commerce; the Royal Geographical Society; the Royal Academy of Sciences at Turin; the Asiatic Society of Bengal; the Zoological Society of London; the Royal Society of Edinburgh; and the American Philosophical Society of Philadelphia.

With the two last-mentioned an arrangement for a mutual exchange of Transactions was entered into during the past year.

In the last Report of the Council, intimation was given of an alteration in the form and plan of the Society's publications; and the Council is happy to announce, that the change alluded to bids fair to realise every advantage that was anticipated from it, although the Council has not yet been able to carry it to the full extent projected.

On a reference to a comparative statement which has lately been submitted to the Council by the secretary, it will be seen, that a saving of no less a sum than 200*l.* a-year will be effected by this arrangement. But it is not in point of economy alone that the Council bespeaks the Society's approbation in this particular. It finds still higher grounds for congratulation in the fact, that this arrangement has been the medium of placing the Journal within the reach of so much greater a portion of the reading public, and of thus gratifying that increasing desire for information on Oriental subjects which of late, various circumstances have gradually contributed to excite.

From this enlarged sphere of usefulness the Council is tempted to augur, not only increasing support to the Society, but also an addition to the number of labourers in the field of Oriental literature, where, notwithstanding the plentiful harvest which invites them, they have as yet been comparatively few; that few, however, evincing, it must be confessed, a degree of ardour and devotedness which has rarely been surpassed.

In turning to the operations of the Oriental Translation Fund, the Council has the satisfaction of observing, that they have been carried on during the past year with unabated energy. Several valuable works have been published by it during that period, viz.; the "*Harivansa*," a celebrated Sanskrit epic poem, translated into French by M. Langlois; the "*Annals of Japan*," edited by M. Klaproth; a "*Description of the Burmese Empire*, translated from the Italian MS. of Sangermano by Dr. Tandy; the "*Didascalia*," a rare Ethiopic work, translated by Mr. Platt, and to which the original text is added; a second volume of *Miscellaneous Translations from Oriental Languages*;" and a "*History of Guzerat*," translated by James Bird, Esq. M.R.A.S. The institution has also many other works of interest in the course of publication.

One of the most gratifying and interesting parts of the Society's proceedings during the past year being, from its recent occurrence, fresh in the memory of every member, the Council does not feel bound, on the present occasion, to do more than merely allude to it. The presentation to Lieut. Alexander Burnes of a diploma, constituting him for life an Honorary Resident Member, in token of the Society's admiration of the zeal, ability, and conduct displayed by that enterprising traveller, as well as of the important services rendered by him to Oriental literature and science by his researches in Central Asia, while it forms a just and appropriate tribute to distinguished merit, cannot, it is hoped, be without its use in stimulating others to a like course of honourable exertion.

Similar considerations to those which prompted the above dispensation, actuated the Society in admitting, as corresponding members,—the Chevalier

General Ventura, General Allard, and M. Court, officers in the service of Runjít Singh, for their kind and valuable assistance to Lieut. Burnes, and the late M. Jacquemont, during the sojourn of those travellers in the Punjáb.

In conclusion, the Council has the gratification to observe, that the efforts of the Society have been duly appreciated by, and honoured with the cordial approbation of, learned foreigners; and with this flattering homage it trusts it may combine that of the British public.

It has been said that, notwithstanding our peculiar relations with the East, and with India in particular, the British, of all European nations, have shewn the greatest indifference to subjects in any way connected with Asia, whether of arts, science, or literature. How far this may have been the case is not for your Council to decide; but it feels itself bound to state the conviction, which has arisen from the experience of the past year, that such indifference, if it did once exist, has now given place to a lively interest, and that the proceedings of this Society, its library, and its museum, at this moment excite an attention, which may fairly be considered to have established its title to national popularity.

But your Council is aware, that the aim and object of the Society does not rest here; that it must look to Asia itself, and to India in particular, to form a full and correct judgment of its proper usefulness. And, if we turn to the correspondence at present carrying on with that country, it may, indeed, be matter of proud congratulation to find, that this Society is now looked up to by so many millions of British subjects, distant from us by so many thousands of miles, as the main link that unites them to these realms in the bonds of literature, science, and art.

It is a pleasing duty to your Council thus to point to the proud position the Society now holds, one for which it is alone indebted to the well-judged liberality of the enlightened few, and to that of the Honourable the Court of Directors of the East India Company. Your Council, therefore, now looks for, and trusts the Society will receive some national support; and if, from the judicious application and management of the means that have hitherto been at its disposal, it has attained its present stage of usefulness, we may, it is hoped, from the undiminished favour of its gracious and royal patron, and from the continued liberality of the Honourable Court, expect with confidence, that its exertions will be attended with still happier results, when based on the just and generous feeling of a British public.

From the preceding outline, brief and imperfect as it is, the Council would hope, may be found ample ground of satisfaction with the past career, and sanguine anticipations of the future prosperity of the Royal Asiatic Society.

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## AUDITORS' REPORT.

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THE Auditors appointed to examine the accounts of the Society for the year 1834, have the honour to state as follows:—

The abstract of the receipts and disbursements of the Society from the 1st of January to the 31st of December, 1834, shews a balance against the Society, at the end of that year, of 50*l.* 1*s.* 4*d.*

In the Auditors' Report of last year, it was assumed, that the receipts of 1834 would exceed the expenditure by 276*l.* 7*s.* The Auditors beg to observe that the estimated amount of the receipts for that year appears to have been over-rated. In addition to this, the charge for printing and lithographing Rám Ráz's work was not included in the estimated disbursements, it having been presumed that it would not come into that year's accounts.

With regard to the statement of the probable receipts and expenditure for the current year, the Auditors beg to observe, that it can merely be considered an approximation to accuracy, as it is impossible to calculate the receipts with certainty. They would also call the attention of the members to the heavy charges for printing which are contained in this statement, consequent upon the double publication which took place last year, namely, the publishing two numbers of the Journal, and the remaining portion of the Transactions in quarto,—a contingency which was adverted to in the last year's Report. The Auditors, however, trust the small balance which the accounts exhibit against the Society will not be of any material consequence, inasmuch as there appears to be a sum of 380*l.* due from the Translation Fund to the Society.

The Auditors cannot conclude, without drawing the attention of the Council to the absolute necessity which exists for the strictest economy in the expenditure; and although they have every reason to be satisfied with the exertions with that view which have been made by the officers of the Society, yet they deem it essential that the expenditure should be brought within the income.

The Auditors have estimated the assets of the Society as follow :—

Value of the Stock of the Society's Publications, Copyrights,	£.	s.	d.
Library, Museum, and Furniture .....	3500	0	0
Ditto of Stock invested in the Three per Cent Consols .....	2024	0	0
	<hr/>		
	£ 5524	0	0
	<hr/>		

The Auditors beg to observe that the thanks of the Society are especially due to the treasurer and secretary of the Society for the order and clearness of the several books, and for their valuable and gratuitous service in the department of accounts.

(Signed)	A. MACKLEW	{ Auditor on the part of the Council.
	C. J. DOYLE	
	J. HODGSON	{ Auditors on the part of the Society.

Royal Asiatic Society's House,  
Grafton Street, Bond Street,  
7th of May, 1835.

## STATEMENT, No. I.

(From January 1st to December 31st, 1834.)

1834.		1834.	
RECEIPTS.		DISBURSEMENTS.	
£.	s. d.	£.	s. d.
From 111 Annual Subscriptions, at £2 2s.	233 2 0	By House Rent .....	225 5 0
106 ditto, ditto, at £3 3s.	333 18 0	Salaries and Wages .....	160 0 0
4 Arrears .....	10 10 0	Imprests to Secretary for the payment of current ex-	
Annual Donation from the Hon. East		penses, taxes, &c. ....	210 9 0
India Company .....	105 0 0	Printing Part II. Vol. III. of the Transactions of the	
Ditto from the Oriental Translation		Society .....	208 10 0
Fund (1833) .....	100 0 0	Lithographing Drawings to Rám Ráz's work .....	420 0 0
Seventeen Admission Fees, at £5 5s.	89 5 0	Lithographing Plates in Part III. of Vol. III. of	
Three Compositions, at £15 15s.	47 5 0	Transactions .....	81 6 0
Two ditto, at £31 10s.	63 0 0	Ditto Map in ditto .....	9 11 6
Balance of a Composition .....	12 12 0	Stationery, Printing, Circulars, &c. ....	51 11 6
Transactions sold .....	28 11 5	Bookbinding .....	16 10 0
Book sold .....	12 6	Bookseller's Bill .....	6 5 0
Subscriptions towards Rosellini's work	14 14 0	Coals .....	13 11 0
Three copies of Rám Ráz's work sold		Collector's Commission .....	29 17 5
to Members .....	3 0 0	Plumber's and Glazier's Bill .....	56 6 0
Dividend on £2192 17s. 1d. in 3 per		Freight and Shipping Charges .....	6 14 1
cent consols .....	65 15 8	Treasurer's Account for Stationery, Portage, &c. ....	7 11 3
Total Receipts in 1834 .....	£1107 5 1	Carpenter's Bill .....	6 0 0
Cash balance in the hands of the		Periodicals .....	5 10 6
Treasurer on the 31st Dec. 1833 .....	365 15 4	Bricklayer's Bill .....	8 12 6
Balance due to the Treasurer at the end of 1834 ...	50 1 4		
	£1523 1 9	Total Expenses in 1834 .....	£1523 1 9

### *Estimate of Receipts and Disbursements for the Year 1835.*

1835.	RECEIPTS.	£. s. d.
	From Annual Subscriptions .....	660 0 0
	Arrears .....	30 0 0
	Annual Donation from East India Company .....	105 0 0
	Ditto from the Oriental Translation Fund for the years 1834 and 1835 .....	200 0 0
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*Copy of Sir Alexander Johnston's Evidence relating to the Mackenzie Collection, extracted from the " Minutes of Evidence taken before the Select Committee of the House of Commons on the Affairs of the East India Company, Feb. 14 to July 27, 1832."*

SIR ALEXANDER JOHNSTON.

" 1927. How long were you in India, and what situations did you fill there?—I held offices under the crown on the island of Ceylon from 1802 to 1818. I was for ten years during that period Chief Justice and President of His Majesty's Council on that island.

" 1928. Did you turn your attention while on Ceylon to the study of the history of India?—I devoted my attention constantly to that study while I was on Ceylon, and I made two journeys by land, the one in 1807, and the other in 1816, from Cape Comorin to Madras, and back again, for the express purpose of inquiring on the spot into the history, religion, laws, and customs of the Hindús in the southern peninsula of India.

" 1929. Were you acquainted while on Ceylon with the late Colonel C. Mackenzie, the Surveyor-General of all India, and with the collection which he made of materials for writing a history of India?—I was intimately acquainted with him from my earliest youth, and I was in constant communication with him all the time I was in Ceylon, from 1802 to 1818, upon subjects connected with the history of India, and of that island; and had frequent occasions to refer for information to his valuable collection of ancient inscriptions and historical documents.

" 1930. Be so good as to explain the circumstances which first led Colonel Mackenzie to make this collection, and those which led the Bengal government, after his death, to purchase it from his widow?—Colonel Mackenzie was a native of the island of Lewis; as a very young man he was very much patronised, on account of his mathematical knowledge, by the late Lord Seaforth, and my late grandfather, Francis, the fifth Lord Napier of Merchistoun. He was for some time employed by the latter, who was about to write a life of his ancestor, John Napier of Merchistoun, the inventor of logarithms, to collect for him, with a view to that life, from all the different works relative to India, an account of the knowledge which the Hindús possessed of mathematics, and of the nature and use of logarithms. Mr. Mackenzie, after the death of Lord Napier, became very desirous of prosecuting his Oriental researches in India. Lord Seaforth, therefore, at his request, got him appointed to the engineers on the Madras establishment in 1782, and gave him letters of introduction to the late Lord Macartney, the then governor of that presidency, and to my father, who held a high situation under his lordship at Madura, the ancient capital of the Hindú kingdom, described by Ptolemy as the *Regio Pandionis* of the Peninsula of India, and the ancient seat of the Hindú college so celebrated throughout that peninsula, from the fifth to the tenth century, for the extent and variety of the knowledge its members had acquired in astronomy, in mathematics, and in every branch of literature. My mother, who was the daughter of Mr. Mackenzie's friend and early patron, the fifth Lord Napier, and who, in consequence of her father's death, had determined herself to execute the plan which he had formed of writing the life of the inventor of logarithms, resided at that time with my father at Madura, and employed the most distinguished of the Brahmíns in the neighbourhood in collecting for her, from every part of the peninsula, the information which she required relative to the knowledge which the Hindús had possessed, in ancient times, of mathematics and astronomy. Knowing Mr. Mackenzie had been previously employed by her father in pursuing the literary inquiries in which she

herself was then engaged, and wishing to have his assistance in arranging the materials which she had collected, she and my father invited him to come and live with them at Madura early in 1783, and there introduced him to all the Brahmins and other literary natives who resided at this place. Mr. Mackenzie, in consequence of the communications which he had with them, soon discovered that the most valuable materials for a history of India might be collected in different parts of the peninsula; and during his residence at Madura first formed the plan of making that collection which afterwards became the favourite object of his pursuit for thirty-eight years of his life, and which is now the most extensive and the most valuable collection of historical documents relative to India that ever was made by any individual in Europe or in Asia. It was Colonel Mackenzie's wish, if he had survived till he had completed his collection, to return to England, and to arrange under separate heads the materials of which it was composed. In 1817, being myself about to return to England from Ceylon, I went to Madras to take leave of him previous to my departure from India. He, in consequence of the long friendship which had subsisted between us, and his belief that we should not meet again, addressed a letter to me giving me a detailed account of all his literary labours in India, and requesting me, in case of his death, to publish it. On my arrival in England I explained to Mr. Grant, the former chairman of the Court of Directors, the great advantage it would secure for Oriental history and literature were Colonel Mackenzie to be allowed by the directors to come to England upon leave, in order that he might, with the assistance of the different literary characters in Europe, arrange his valuable collection of materials. Mr. Grant, with the feeling for literature and liberality which always characterised his public and private conduct, agreed, on my application, to propose to the Court of Directors to give the colonel leave to come to England, and to remain in England upon his full pay and allowances for three years, for the purpose which I have mentioned. No steps were, however, taken by Mr. Grant, because, in the meantime, I received accounts of the colonel's death in Bengal. I soon after, according to his desire, published the letter which he had written to me in 1817; and, at the same time, wrote to the Marquess of Hastings, the then Governor-General of India, calling his attention to the value of the Mackenzie collection, and adding what I knew to be the fact, that the Colonel had laid out upwards 15,000*l.* of his own money in making it. His lordship, a short time afterwards, purchased the whole collection for the East India Company, from Colonel Mackenzie's widow, for 10,000*l.* and thereby preserved for the British government the most valuable materials which could be procured for writing an authentic history of the British Empire of India.

"1931. Is there any catalogue of the Mackenzie Collection?—Yes; there is a printed catalogue in two vols. 8vo., which Mr. Wilson, the newly elected professor of Sanskrit at Oxford, formed, some years ago, partly from the letter which Colonel Mackenzie had written to me in 1817, and partly from a list which the colonel's Brahmins had drawn up of his papers previous to his death.

"1932. Does the Mackenzie Collection consist of such information only as illustrates the history of India, or does it also contain materials for illustrating the state of the arts, sciences, and literature of India?—It contains, in addition to the materials connected with the general history of India, very extensive information relative to the state of the drama, and that of painting and sculpture in different ages amongst the Hindús in the southern peninsula of India. A considerable part of the information upon these subjects was collected by Colonel Mackenzie, in consequence of communications which passed between him and me from 1802 to 1817. It is known to those who have attended to the history of the southern peninsula of India, that dramatic compositions, and pictorial and sculptural representations had been used from time immemorial by the Hindú governments in that peninsula, as the most efficient medium through which they could circulate amongst the people of the country such historical, moral, and political knowledge, as they conceived would give permanency to the system of

government and the state of society which they were desirous of supporting. When I sent to Mr. Fox, in 1806, the plan to which I have alluded in the Judicial Committee, for introducing a system of government throughout British India, more in conformity than the one which then prevailed with the principles of the British constitution, it occurred to me that measures ought, in pursuance of the ancient custom of the country, to be adopted by the government for circulating amongst the natives of the country, by dramatic, pictorial, and sculptural representations, such historical, moral, and political knowledge, as might have a tendency to make them understand the nature and benefits of a free government, and admire the examples which they might derive from the dramatic, the pictorial, and the sculptural representations which might be executed for their use and improvement by the best British authors, and by the most distinguished British artists; and I therefore requested Colonel Mackenzie to make for me such a collection of the dramas, and such an account of the pictorial and sculptural representations, in the peninsula of India, as would enable the British government to ascertain, what historical, moral, and political knowledge had been conveyed to the natives of India by this means, and what measures ought to be taken by them, for circulating amongst the people, by the same means, such historical, moral, and political knowledge, as might be applicable to the system of government which they might wish to introduce, and the state of society which they might wish to form.

"1933. Do you think that government can derive useful information from the Mackenzie Collection, as to the historical, moral, and political knowledge which has been circulated amongst the people of the country in different ages by the Hindú government, through dramatic, pictorial, and sculptural representations?"—I think they may.

"1934. Have any works been already executed in England with the view you have suggested?—No public works. Miss Joanna Baillie, some years ago, at my suggestion, wrote a dramatic work for India, the object of which is to check the spirit of jealousy and revenge which frequently prevails in different parts of India; and I have sent it out to India in order to have it translated and acted in that country. Mr. Stephanoff, also, has, on my suggestion, made a very fine painting from a sketch which I gave him, the object of which is to commemorate the admission of the natives of the country to the right of sitting upon juries, and the abolition of the state of domestic slavery, which took place in Ceylon while I was on that island, and which were the first instances that ever occurred in India of such events. An engraving has been made of this painting and sent out to different parts of India. My relative, the late Mrs. Damer, also, on my suggestion, executed a bust of an heroic of the late Lord Nelson, for the King of Tanjore, and sent it out to him as a present, in order that he might place it on a building which he had erected in his country to commemorate the victories of Great Britain.

"1935. Do you think government ought to adopt measures for procuring and sending out to India, at the public expense, works of art, with a moral and political view?—I do. I think that government ought to employ the Royal Asiatic Society of Literature in this country to make a report to it of the particular descriptions of historical, moral, and political knowledge which have hitherto been circulated by the Hindú governments amongst the Hindú population of the southern peninsula of India, by means of dramatic, pictorial, and sculptural representations; and, also, of that description of knowledge which ought now to be circulated amongst them by similar means, with a view to the system of government which is meant to be introduced, and the modification of society which is meant to be encouraged in the present times: that it ought, upon the receipt of such a report, to employ the ablest writers and the most distinguished artists in this country in executing public works for the great moral and political purpose which has been mentioned, and to send these works out to India, and exhibit them, with such explanations as may be thought advisable, in every part of the British territories in India. Such measures would have the

effect of raising the moral and political character of the natives ; of affording them for their imitation the finest specimens of genius and art ; and of encouraging the ablest writers, and the most distinguished artists in Great Britain, to devote their talents and their art to the moral and political improvement of 80,000,000 of their fellow-subjects.

" 1936. Is the collection as complete as Colonel Mackenzie originally intended to make it ?—By no means. The colonel, had he survived, intended to have added to his collection a great mass of materials connected with the history of India, which are still to be found in different parts of the country, but which, if measures be not speedily adopted to collect and preserve them, will be altogether destroyed.

" 1937. Do you think that Parliament ought to take any measures for rendering the collection complete ?—I think that Parliament ought, considering the public importance of the object, to call the attention of the government to the subject, and to authorise it to incur such an expenditure of the public money as may be necessary to complete the collection without delay. Such conduct on the part of Parliament will shew the people of India that it is anxious to obtain a thorough knowledge of the ancient and modern history of the immense empire in India, for whose interest it is constantly called upon to legislate ; and lead them to believe, that those who compose the Parliament have not only the desire but the means of becoming acquainted with the moral and political effect of their institutions, and of adapting any measures which they may introduce into India, to the peculiar circumstances of the country, and to the manners and feelings of the people.

" 1938. What measures would you advise for rendering the collection complete ?—The Bráhmaṇ who, in Colonel Mackenzie's lifetime, had the superintendence of all the learned natives who were employed by him in procuring materials for his collection, is still alive at Madras ; is thoroughly acquainted with the plan upon which the colonel, had he lived, intended to have carried on his researches ; and is anxious to accomplish all the literary objects which his master had in view. Captain Harkness, of the Madras Army, who has devoted his attention for many years to the same literary pursuits as the late Colonel Mackenzie, who is thoroughly acquainted with the history and antiquities of the southern peninsula of India, and is well qualified in every way for continuing the researches in which the late colonel was engaged at the time of his death, is now in England, and willing to afford his assistance in every way in which he can be employed. I should, therefore, propose that the government should immediately authorise the Royal Asiatic Society of Literature in England to take such steps, in communication with the Bráhmaṇ whom I have mentioned, and with Captain Harkness, as they may deem necessary to complete the Mackenzie Collection ; and that the Governor-General of India, and the governors of Bombay and Madras, be authorised to give them all the assistance which they may require for that purpose, in every part of the British territories in India."

*Copy of a Letter from Captain Harkness, Secretary to the Royal Asiatic Society of Great Britain and Ireland, to Peter Auber, Esq., Secretary to the Honourable the Court of Directors of the East India Company.*

"SIR,

"14 Grafton Street, Bond Street,  
21st April, 1835.

"Agreeably to the instructions of the Honourable Court, conveyed to me in your letter of the 17th of February last, that I should sedulously devote my time to analysing the Mackenzie MSS., I do myself the honour to report the progress I have made therein up to the present period.

"The method I have pursued in this analysis was, first, to select whatever related to the territories of Kúrg and Mysore, or such portions thereof as I thought might be directly applicable to the present circumstances of those countries; secondly, to select and, with the permission of the Honourable Court, prepare for publication in the Journal of the Royal Asiatic Society, such portions as I considered to be generally interesting; and lastly, from a view of the whole collection, to form an opinion as to its value as applicable to the purposes of the Honourable Court, and to public utility.

"I am sorry to observe, that the portion of the collection containing what I considered might be applicable to the present circumstances of the Mysore and Kúrg territories has not yet been received from India. This portion of the collection, comprising much valuable and highly useful information, consists of nearly the whole of the local tracts, and of eight or nine thousand copies and facsimiles of inscriptions on stone and copper; the former comprising historical accounts of almost every town and district south of the Krishna; of the numerous places of religious pilgrimage, and of their establishments; of the forts, fortified hills, and mountains; of the reigns of most of the native princes; of the different wild tribes inhabiting the mountain ranges; of the finances of the several districts; and much other valuable chronological and historical data: the latter comprising grants of land, of civil, religious, and other immunities, by the several princes who, at different periods, have swayed the destinies of the people of this part of India; furnishing satisfactory evidence of the period of the reigns of these princes; of the numerous alienations of the property of the several states; of the nature of land tenures as they formerly existed; and corroborative data on all points of history and chronology, as connected with this part of India.

"Of the inscriptions, there is, here, an abstract in five folio volumes; and, I presume, the local tracts are still at Madras, having been sent there, at my suggestion, to that government. Of the value of these tracts I speak from personal inspection; and I am sorry to add, that, up to the period of my leaving India, no steps had been taken to render them available.

"In selecting portions for publication in the Journal of the Royal Asiatic Society, it was necessary, perhaps, that I should take a view of the whole collection; but, as before alluded to, I had a further object in doing so. I had for many years, while in India, sedulously devoted my time to pursuits of the same nature as those which led to the formation of this collection; I had acquired a considerable knowledge of the subjects of which the portion in this country was said to consist; I had obtained much information respecting it from the native establishment of the late Colonel Mackenzie; and I had personally examined the portion of the collection which is still in India. My object, therefore, in taking a careful review of the whole, was to form, to the best of my ability, a correct opinion on its value, and to submit the same to the Honourable Court, sanguine that my doing so would meet its approbation.

" I shall not presume to draw the attention of the Court to the several component parts of the collection, however valuable the most of them may appear to me, as that would embrace a detail which I am aware might be thought tedious, but proceed to state that I am of opinion that the Mackenzie Collection affords sufficient materials to compile a History of the peninsula of India, South of the River Krishna, from the fourth or fifth century prior to the Christian era, up to the establishment of the British power in that peninsula.

" This would include the history of the Chola, Chera, and Pándya kingdoms; of the Yádava, Belála, Chalukya, and Andhra princes, former sovereigns of this part of India, and successors to the Chola, Chera, and Pándya; and, finally, that of the Vijayanagara empire, or the last of the Hindú governments, which, at one period, extended from the southern bank of the Krishna to Cape Comorin.

" It will exhibit the laws, usages, manners, customs, and domestic economy peculiar to the several nations, and to them generally; their religious and political revolutions; the relative states of literature and science; of manufactures and of commerce; the construction of public works, such as canals, bridges, and aqueducts; the altering the courses of rivers; the making of tanks and reservoirs, &c. for irrigating the country; the erection of religious and other edifices; the prosperity, or otherwise, of the people generally; and such other facts as may serve to give a lucid and comprehensive view of what India was, or this part of it at least, under its own sovereigns.

" It will illustrate the various modes of religion prevalent in this part of India within the periods mentioned; what that religion was which preceded the introduction of Hindúism; the introduction of Budd'hism, and its subversion; the rise and declension of the Jain religion; the introduction of Christianity and Mahommedanism; and the prevalence of the religion of Brahma in its various branches and ramifications.

" In conclusion, I beg I may be allowed to repeat, that it is with the utmost deference that I offer this opinion to the Honourable Court. It is one which I do not consider myself justified in withholding, when I look at the value of this vast mass of materials, the result of the labours of an intelligent and indefatigable mind, turned exclusively and devotedly to the subject through a course of five-and-twenty years in India, supplying desiderata which for ages had been sought for, and which, through the liberality of the Honourable Court, will now, it is hoped, be rendered available to the state and to the world at large.

" I would further beg leave to add, that I feel confident, that a compilation, such as I have alluded to, will be the most satisfactory, and, at the same time, the least expensive mode to be adopted, as the arranging and preparing the collection for future reference will, of course, be carried on at the same time. It may involve a journey to India; but this, as well as some other minor points, I shall have the honour to submit to the Honourable Court on a future occasion, should it be pleased to favour the opinion I have now presumed to offer to its consideration.

" I have the honour, &c. &c.

(Signed) " H. HARKNESS."

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*By the Chev. Jacob Gräberg di Hemsö, F.M.R.A.S.*

His "Carta del Moghrib ul Acsa, ossia dell' Impero di Marocco." 1834. 1 sheet.

Specchio Geografico, e Statistico dell' Impero di Marocco. Del Cavaliere Conte Jacopo Gräberg di Hemsö. Genova, 1834. 8vo.

Notice Biographique sur le Compte Jacques Gräberg di Hemsö. Florence, 1834. 8vo.

*By Rajah Kali Krishen Bahádur, C.M.R.A.S.*

The following works translated by him into English:—

Bytal Puchisi; or, the Twenty-five Tales of Bytal, translated from the Brujbhakha. Calcutta, 1834. 8vo.

Vidoun Moda Jaranginee ; or, Fountain of Pleasure to the Learned. Second Edition. Calcutta, 1834. 8vo.

*By H. Brockhaus, Esq.*

Prabodha Chandrodaya Krishna Misri Comœdia. Sanscritè et Latinè edidit Hermannus Brockhaus. Lipsiæ, 1835. 8vo.

*By John Britton, Esq.*

A History and Description of the late Houses of Parliament, and Ancient Palatial Edifices of Westminster, &c. By E. W. Brayley and John Britton. London, 1835. 8vo.

*By Joseph Hume, Esq., M.P. M.R.A.S.*

Université Libre. Procès Verbal de la Séance d'Installation, &c. (20 Nov., 1834). Bruxelles, 1834.

*By Professor F. B. Charmoy, F.M.R.A.S.*

Sur l'Utilité des Langues Orientales pour l'Etude de l'Histoire de Russie. Par le Conseiller d'État, F. B. Charmoy. St. Petersburg, 1834. 4to.

Relation de Mas'oudy et d'autres Auteurs Musulmans sur les Anciens Slaves. Par M. Charmoy. St. Petersburg, 1833. 4to.

*By the Literary Society of Batavia.*

Verhandeligen van het Bataviasche, Genootschap van Kunsten en Wetenschappen, 15 deel. Batavia, 1833. 8vo.

*By John Shakespear, Esq., M.R.A.S.*

A Dictionary, Hindústání and English, with a copious Index, fitting the work to serve also as a Dictionary, English and Hindústání. By J. Shakespear. Third edition, much enlarged. London, 1834. 4to.

*By Messrs. Fisher & Co.*

The Christian Keepsake and Missionary Annual, 1835. 12mo.

*By Professor H. H. Wilson, M.R.A.S.*

Select Specimens of the Theatre of the Hindús. Translated from the original Sanskrit, by H. H. Wilson, M.A., &c., 2 vols., 8vo. Second edition. London, 1835.

*By the Royal College of Surgeons.*

Descriptive and illustrated Catalogue of the Physiological Series of Comparative Anatomy, contained in the Museum of the Royal College of Surgeons in London. Vol. II. London, 1834. 4to.

*By J. C Loudon, Esq.*

Arboretum Britannicum ; or, the Hardy Trees of Britain, Native and Foreign, pictorially and botanically delineated, and scientifically and popularly described. By J. C. Loudon. Nos. 1 and 2. London, 1835. 8vo.

*By the Society for the Encouragement of Arts, Manufactures, and Commerce.*

The Transactions of the Society, Part I. vol. 1. London, 1834. 8vo.

*By the Royal Geographical Society.*

Its Journal, Vol. IV. Part 2. 1834.

*By Signor Giannantonio Arri.*

Lapide Fenicia di Nora in Sardegna. Dichiarata da Giannantonio Arri. Torino, 1834. 4to.

*By the Royal Society of London.*

Philosophical Transactions of the Society for 1834, Parts 1 and 2. London, 1834. 4to.

Proceedings of the Royal Society, Nos. 15, 16, 17, and 18; 1831—1833. 8vo.

*By Professor Charles Ritter, F.M.R.A.S.*

Die Erdkunde von Asien. Von Carl Ritter. Band III. Berlin, 1834. 8vo.

*By the Chev. Joseph von Hammer, F.M.R.A.S.*

Geschichte des Osmanischen Reiches. Durch Joseph von Hammer. Tenth volume. Pest, 1835. 8vo.

Über die Länderverwaltung unter dem Chalifate. Von Joseph von Hammer. Berlin, 1835. 8vo.

*By Ram Comul Sen.*

A Dictionary in English and Bengalee; translated from Todd's edition of Johnson's English Dictionary. In 2 vols. By Ram Comul Sen, Native Secretary to the Asiatic, and Agricultural and Horticultural Societies of Bengal, &c. &c. Serampore, 1834. 4to.

*By Captain James Low, C.M.R.A.S.*

Two dried specimens of the Hippocampus; a dried leaf of the Burman tea-plant; several numbers of the Penang Gazette.

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Cases argued and determined before the Committees appointed to hear Appeals and Petitions, and the Judicial Committees of His Majesty's Most Honourable Privy Council. Vol. II. Parts I. II. and III. 8vo.

*By the Royal Academy of Sciences at Turin.*

Memorie della Reale Accademia delle Scienze di Torino. Tomo XXXVII. Torino, 1834. 4to.

*By the Asiatic Society of Bengal.*

Essay towards a Dictionary, Tibetan and English. By Alexander Csoma de Körös. Calcutta, 1834. 4to.

*By Lieut. Alexander Burnes, M.R.A.S., through Dr. Burnes.*

A Bokhara Cloak, or outer dress, fabricated of camel hair; and being the identical one worn by Lieutenant Burnes in his travels through the desert of the Toorkmuns.

*By T. T. Rennell, Esq.*

A paddle-shaped war club, or waddy, used by the natives of New South Wales.

Het Handelstelsel van Java met Koophandel, Scheepvaart en Fabrijsaat van Nederland, in Verband gebraght door P. de Hoan Psz. Leyden, 1835. 8vo.

Vaderlandsche Historie (General Dutch History), containing an account of the present United Provinces, and more particularly of Holland, from the earliest times, compiled from the most authentic writers and genuine documents: illustrated with maps and plates. Amsterdam, 1749. 8 vols. 8vo.

Observations on Geographical Projections; or, an Examination of the principal methods of constructing Maps: with a description of a Georama. By C. F. P. Delanglard. Translated from the French. London, 1828. 8vo.

*By the Rev. Joseph Roberts, C.M.R.A.S.*

Oriental Illustrations of the Sacred Scriptures, collected from the customs, manners, rites, &c. of the Hindûs, during a residence in the East of nearly fourteen years. By Joseph Roberts, C.M.R.A.S. London, 1835. 8vo.

*By Major-General Sir Henry Worsley, K.C.B., M.R.A.S.*

The Letters of T. on the Employment of the English Language as a Medium for Native Education. Calcutta, 1834. 8vo. Pamphlet.

*By the Rev. J. B. B. Clarke, through Sir Alexander Johnston.*

A historical and descriptive Catalogue of the European and Asiatic Manuscripts in the Library of the late Dr. Adam Clarke, F.S.A. M.R.I.A. &c.; illustrated with facsimiles of curious illuminations, drawings, &c. By J. B. B. Clarke. London, 1835. 8vo.

*By the Royal Society of Edinburgh.*

Transactions of the Society, Vol. XIII. Part I. 1835. 4to. Its Proceedings, Nos. IV. and V. 12mo.

*By Sir Charles Forbes, Bart. M.R.A.S., through the Right Honourable Sir Alexander Johnston.*

Two Impressions of Seals, recently sent out by Sir Charles Forbes for the use of two native gentlemen of Bombay; being the first instance of the adoption of the European style of armorial bearings in India.

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The following works in Persian and Arabic, being the first of the series printed at the press established by Abbâs Mirzâ, at Teherân:—

1. Hayât ul Kulûb, of Mullâ Muhammed Bâkir-Majlisî, Vol. I. (History of the Prophets from Adam to Muhammed). 4to.

2. Ditto, ditto, Vol. II. (An Account of Muhammed and his Companions). 4to.

3. The Korân in Arabic.

4. Hakk ul Yakîn, of Mullâ Muhammed Bâkir-Majlisî. (The Companion of Shâh Suleimân and Shâh Sultân Hussein Sufavî). This work contains a body of theology of the Shîah sect, and evidences of its truth. 4to.

5. Zâd ul Ma'âd of Mullâ Muhammed Bâkir. (The Religious Duties and Observances required of a Shîah throughout the year, especially on festivals). 4to.

6. Hulî ul Mutakîn, of Mullâ Muhammed Bâkir. (The minor religious Observances of a Shîah). 4to.

7. Muhrik ul Kulûb of Mullâ Mahdî Naragî; being an account of the various festivals of lamentation held by the Shîahs. 4to.

8. Jilâ ul 'Uyûn, of Mullâ Muhammed Bâkir-Majlisî. (Observances at the Festivals of Lamentations).

9. 'Ain ul Hayât, of Mullâ Muhammed Bâkir-Majlisî. (The Instructions of Muhammed to Abu Zarr.)

*By John Martin, Esq., through Sir Alexander Johnston.*

An impression from his engraving of "The Crucifixion;" with descriptive letter press.

*By Messrs. Whittaker and Co., the Publishers.*

A Manual of Universal History and Chronology, for the use of schools. By H. H. Wilson, M.A. London, 1835. 12mo.

*By Edward Thornton, Esq.*

India, its State and Prospects. By Edward Thornton, Esq. London, 1835. 8vo.

*By Dr. Julius Mohl, F.M.R.A.S.*

Y-King, antiquissimus Sinarum Liber, quem ex Latinâ Interpretatione P. Regis, aliorumque ex Soc. Jesu, P.P. Edidit Julius Mohl. Vol. I., cum quatuor tabulis. Stuttgartæ et Tubingæ. 12mo.

*By Professor N. Cacciatore.*

De redigendis ad unicam seriem comparabilem Meteorologicis ubique factis observationibus Conventio proposita et Tabulæ. Ab Equite Nicolao Cacciatore. Panormi, 1834. 4to.

Statuti dell' Accademia delle Scienze e Belle Lettere di Palermo. Palermo, 1832. 16mo.



**REGULATIONS**  
**FOR THE**  
**ROYAL ASIATIC SOCIETY**  
**OF**  
**GREAT BRITAIN AND IRELAND.**

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# REGULATIONS

FOR

## THE ROYAL ASIATIC SOCIETY.

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### OF THE OBJECTS OF THE SOCIETY GENERALLY, AND OF ITS MEMBERS.

ARTICLE I.—The ROYAL ASIATIC SOCIETY OF GREAT BRITAIN AND IRELAND is instituted for the investigation and encouragement of Arts, Sciences, and Literature, in relation to Asia.

ARTICLE II.—The Society consists of *Resident*, *Non-resident*, *Honorary*, *Foreign*, and *Corresponding* Members.

ARTICLE III.—Members, whose usual place of abode is in Great Britain or Ireland, are considered to be *Resident*.

ARTICLE IV.—Those whose usual abode is not in Great Britain or Ireland, being, however, British subjects, are denominated *Non-resident*.

ARTICLE V.—Foreigners of eminent rank or situation, or persons who have contributed to the attainment of the objects of the Society in a distinguished manner, are eligible as *Honorary* Members.

ARTICLE VI.—The Class of *Foreign* Members shall consist of not more than *Fifty* Members; and no person shall be eligible as a *Foreign* Member who is a British subject, or whose usual place of residence is in any part of the British dominions in Europe.

ARTICLE VII.—Any person not residing within the British Islands, who may be considered likely to communicate valuable information to the Society, is eligible for election as a *Corresponding* Member.

ARTICLE VIII.—All the Members of the Society, of whatever denomination, *Resident*, *Non-resident*, *Honorary*, *Foreign*, or *Corresponding*, must be elected at the General Meetings of the Society, in the manner hereinafter described.

ARTICLE IX.—*Honorary*, *Foreign*, and *Corresponding* Members, when residing in England, have a right of admission to the Meetings, Library, and Museum of the Society; but are not eligible to its offices, or entitled to copies of the Transactions.

ARTICLE X.—The Literary Society of Bombay is from henceforward to be considered an integral part of the Royal Asiatic Society, under the appellation of the BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY.

ARTICLE XI.—The BOMBAY BRANCH SOCIETY shall be considered quite independent of the ROYAL ASIATIC SOCIETY, as far as regards its local administration and the control of its funds.

ARTICLE XII.—The Members of the BOMBAY BRANCH SOCIETY, while residing in Asia, shall be *Non-resident* Members of the ROYAL ASIATIC SOCIETY; and when in Europe shall be eligible for election as *Resident* Members, in the same manner as *Honorary* Members are elected.

ARTICLE XIII.—In like manner the Members of the ROYAL ASIATIC SOCIETY, while residing in Europe, are *Non-resident* Members of the BOMBAY

BRANCH SOCIETY; but when within the presidency of Bombay shall be eligible as *Resident* Members, in the manner prescribed by the Regulations of that Society.

ARTICLE XIV.—The United Literary Societies of Madras are from henceforward to be considered an integral part of the ROYAL ASIATIC SOCIETY, under the appellation of the MADRAS LITERARY SOCIETY and AUXILIARY of the ROYAL ASIATIC SOCIETY.

ARTICLE XV.—The MADRAS LITERARY SOCIETY and AUXILIARY of the ROYAL ASIATIC SOCIETY shall be considered quite independent of the ROYAL ASIATIC SOCIETY as far as regards its local administration and the control of its funds.

ARTICLE XVI.—The Members of the MADRAS LITERARY SOCIETY and AUXILIARY of the ROYAL ASIATIC SOCIETY, while residing in Asia, shall be *Non-resident* Members of the ROYAL ASIATIC SOCIETY; and, when in Europe, shall be eligible for election as *Resident* Members, in the same manner as *Honorary* Members are elected.

ARTICLE XVII.—In like manner, the Members of the ROYAL ASIATIC SOCIETY, while residing in Europe, are *Non-resident* Members of the MADRAS LITERARY SOCIETY and AUXILIARY of the ROYAL ASIATIC SOCIETY; but when within the presidency of Madras, shall be eligible as *Resident* Members, in the manner prescribed by the Regulations of that Society.

#### MODE OF ELECTING THE MEMBERS.

ARTICLE XVIII.—Any person desirous of becoming a *Resident* or *Non-resident* Member of the ROYAL ASIATIC SOCIETY, must be proposed by Three or more subscribing Members, one, at least, of whom must have personal acquaintance with him, on a certificate of recommendation, declaring his name and usual place of abode; specifying also such titles and additions as it may be wished should accompany the name in the list of Members of the Society.

ARTICLE XIX.—A candidate proposed as a *Foreign* Member must be recommended to the Society by five Members, or more.

ARTICLE XX.—The Council may, upon special grounds, propose to a General Meeting the election of any Foreigner of eminent rank and station, or any person who shall have contributed to the attainment of the objects of the Society in a distinguished manner, either by donation or otherwise, to be elected an *Honorary* Member of the Society; and, upon such proposition, the Society shall proceed to an immediate ballot.

ARTICLE XXI.—The Council may propose for election as a *Corresponding* Member, any person not residing in the British dominions in Europe who may be considered likely to communicate valuable information to the Society.

ARTICLE XXII.—Every recommendation of a Candidate proposed for election, whether a *Resident*, *Non-resident*, *Foreign*, or *Corresponding* Member, shall be read at three successive General Meetings of the Society. After the first reading, the certificate shall remain suspended in the Meeting-room of the Society till the ballot for the election takes place, which will be immediately after the third reading of the certificate; except in the cases of the Members of the BRANCH SOCIETY OF BOMBAY, and the LITERARY and AUXILIARY SOCIETY of MADRAS, who are eligible for immediate ballot.

ARTICLE XXIII.—No candidate shall be considered as elected, unless he has in his favour the votes of three-fourths of the Members present who vote.

ARTICLE XXIV.—The election of every candidate shall be entered on the minutes of the proceedings of the Meeting at which he is elected: but should it appear, upon inspecting the ballot, that the person proposed is not elected, no mention thereof shall be inserted in the minutes.

ARTICLE XXV.—When a candidate is elected a *Resident* or *Non-resident* Member of the Society, the Secretary shall inform him of his election by letter.

ARTICLE XXVI.—To an *Honorary, Foreign, or Corresponding* Member, there shall be transmitted, as soon as may be after his election, a Diploma, under the seal of the Society, signed by the President, Director, and Secretary.

OF THE COUNCIL AND OFFICERS, AND OF COMMITTEES.

ARTICLE XXVII.—There shall be a Council of Twenty-five *Resident* Members, constituted for the management and direction of the affairs of the Society.

ARTICLE XXVIII.—The Officers of the Society shall form a part of the Council, and shall consist of a President, a Director, four Vice-Presidents, a Treasurer, a Secretary, and a Librarian. The Council will, therefore, be composed of sixteen Members, besides the officers.

ARTICLE XXIX.—The Council and Officers shall be elected annually by ballot, at the Anniversary Meeting of the Society, on the Second *Saturday* in *May*.

ARTICLE XXX.—Eight Members of the Council shall every year be withdrawn, and eight new Members shall be elected in their places, from the body of the Society.

ARTICLE XXXI.—The Council shall meet once in every month, or oftener, during the Session.

ARTICLE XXXII.—At any meeting of the Council, *Five Members* of it being present shall constitute a *quorum*.

ARTICLE XXXIII.—The Council shall be summoned, under the sanction and authority of the President or Director, or, in their absence, of one of the Vice-Presidents, by a circular letter from the Secretary.

ARTICLE XXXIV.—The Council shall have the power of provisionally filling up vacancies in its own body, occasioned by resignation or death.

ARTICLE XXXV.—Committees, for the attainment of specific purposes within the scope of the Society's views, may, from time to time, be appointed by the Council, to whom their reports shall be submitted, previously to their being presented at a Special, or at an Anniversary Meeting of the Society.

COMMITTEE OF CORRESPONDENCE.

ARTICLE XXXVI.—The Council shall appoint a *Committee of Correspondence*, to consist of a Chairman, two Deputy-Chairmen, twelve Members, and a Secretary; with power to add to its number, and fill up vacancies occasioned by resignation, removal, or death: four of such twelve Members to go out annually, and be replaced by a similar number from the general body of the Members.

ARTICLE XXXVII.—The special objects of the *Committee of Correspondence* are, to receive intelligence and inquiries relating to the Arts, Sciences, and Literature of Asia, and to endeavour to obtain for applicants such information on those subjects as they may require.

COMMITTEE OF PAPERS.

ARTICLE XXXVIII.—The Council shall appoint a *Committee of Papers*, to which all papers communicated to the Society shall be referred for examination; and it shall report to the Council from time to time such as it may deem eligible for publication, or to be read at the General Meetings.

## REGULATIONS FOR THE

## FUNCTIONS OF THE OFFICERS.

**ARTICLE XXXIX.**—The functions of the **PRESIDENT** are, to preside at meetings of the Society, and of the Council ; to conduct the proceedings, and preserve order ; to state and put questions, according to the sense and intention of the Members assembled ; to give effect to the resolutions of the Meeting ; and to cause the Regulations of the Society to be put in force.

**ARTICLE XL.**—The functions of the **DIRECTOR** are twofold, *general* and *special*. His general functions are those of a *Presiding Officer*, being next in rank to the President ; by virtue of which he will preside at Meetings when the President is absent, and discharge his duties. His special functions relate to the department of Oriental Literature, which is placed under his particular care and superintendence.

**ARTICLE XLI.**—The duties of the **VICE-PRESIDENTS** are, to preside at the meetings of the Society and of the Council, when the chair is not filled by the President or Director ; and to act for the President, on all occasions, when he is absent, and when his functions are not undertaken by the Director.

**ARTICLE XLII.**—The **TREASURER** will receive, on account of and for the use of the Society, all monies due to it, and make payments out of the funds of the Society, according to directions from the Council.

**ARTICLE XLIII.**—The Treasurer's accounts shall be audited annually, previously to the Anniversary Meeting of the Society. The Council shall, for that purpose, name three Auditors, of whom two shall be taken from the Society at large, and the third shall be a Member of the Council. The Auditors shall report to the Society, at its Anniversary Meeting, on the state in which they have found the Society's funds.

**ARTICLE XLIV.**—The functions of the **SECRETARY** are the following :—

He shall attend the meetings of the Society, and of the Council, and record their proceedings. At the General Meetings he will read the papers that have been communicated ; unless any Member obtain permission from the Council to read a paper that he has communicated to the Society.

He shall conduct the correspondence of the Society, and of the Council.

He shall superintend the persons employed by the Society, subject, however, to the control and superintendence of the Council.

He shall, under the direction and control of the Council, superintend the expenditure of the Society. He shall be competent, on his own responsibility, to discharge small bills ; but any account exceeding the sum of Five Pounds shall previously be submitted to the Council, and, if approved, be paid by an order of the Council, entered on the minutes.

He shall have the charge, under the direction of the Council, of printing and publishing the Transactions of the Society.

**ARTICLE XLV.**—If the Secretary shall, at any time, by illness, or any other cause, be prevented from attending to the duties of his office, the Council shall authorise the Assistant-Secretary, or request one of its Members to discharge his functions, till he shall himself be able to resume them.

**ARTICLE XLVI.**—The **LIBRARIAN** shall have the charge and custody of all books, manuscripts, and other objects of learning or curiosity, of which the Society may become possessed, whether by donation, bequest, or purchase ; and apartments shall be appropriated, in which those objects may be safely deposited and preserved.

ON THE CONTRIBUTIONS AND PAYMENTS WHICH ARE TO BE MADE TO THE  
SOCIETY BY THE MEMBERS.

ARTICLE XLVII.—Every *Resident* Member is required to pay the following sums upon his election, viz. :—

Admission Fee .....	Five Guineas.
Annual Subscription .....	Three Guineas.

(Unless his election shall take place in December,  
in which case the first Annual Subscription  
shall not be due till the succeeding January.)  
The following compositions are allowed, viz.

Upon election, by the payment of .....	Thirty Guineas.
After two Annual Payments of .....	Twenty Guineas.
After four or more Annual Payments of .....	Fifteen Guineas.

ARTICLE XLVIII.—Any person elected as a *Resident* Member of the Society who shall proceed to the Cape of Good Hope, or to any place eastward thereof, shall not be called on to continue the payment of his Annual Subscription; but his rights and privileges as a Member shall remain in abeyance, with liberty to resume them on recommencing the payment of the Annual Subscription, or paying the regulated composition in lieu thereof.

ARTICLE XLIX.—Any person who shall henceforward desire to become a *Non-resident* Member of the Society, shall, on his being elected, pay the sum of *Twenty Guineas*.

If he subsequently become a *Resident* Member, he shall, from the time that he has fixed his residence in the British Islands, pay the usual contribution of *Three Guineas per annum*; or, in lieu thereof, the sum of *Ten Guineas* as an equivalent for the composition.

ARTICLE L.—Any *Resident* Member, whose permanent residence may be abroad, shall be at liberty to become a *Non-resident* Member, should the payments he may have already made to the Society amount to *Twenty Guineas*, or, one making up that amount, inclusive of all his previous payments; and he shall be free to resume his *Resident* Membership on recommencing to pay his Annual Subscriptions.

ARTICLE LI.—*Honorary, Foreign, and Corresponding* Members, shall not be liable to any contributions, either on their admission, or as annual payments.

ARTICLE LII.—Every person elected a *Resident* Member of the Society shall make the payment due from him within two calendar months after the date of his election; or, if elected a *Non-resident* Member, within eighteen calendar months after his election; otherwise his election shall be void: unless the Council, in any particular case, shall decide on extending the period within which such payments are to be made.

ARTICLE LIII.—All annual subscriptions shall be paid to the Treasurer on the first day of January in each year; and in case the same should not be paid by the end of that month, the Treasurer is authorised to demand the same. If any subscriptions remain unpaid at the Anniversary Meeting of the Society, the Secretary shall apply, by letter, to those members who are in arrears.

ARTICLE LIV.—The publications of the Society shall not be forwarded to any Member, whose subscription for the current year remains unpaid.

ARTICLE LV.—The Resignation of no Member shall be received until he has sent in a written declaration, and has paid up all his arrears of Subscription.

## OF THE MEETINGS OF THE SOCIETY.

ARTICLE LVI.—The Meetings of the Society, to which all the members have admission, and at which the general business of the Society is transacted, are termed General Meetings.

ARTICLE LVII.—At these meetings, the chair shall be taken by the President, or, in his absence, either by the Director or one of the Vice-Presidents; or, should these Officers also be absent, by a Member of the Council.

ARTICLE LVIII.—*Ten Members* being present, the meeting shall be considered as constituted, and capable of entering upon business.

ARTICLE LIX.—The General Meetings of the Society shall be held on the *first* and *third Saturday* in every month, from December to July, both inclusive; excepting on the *first Saturday* in May, and the Saturdays preceding Easter and Whit Sundays and Christmas-day.

ARTICLE LX.—The business of the General Meetings shall be, the proposing of candidates, the election and admission of Members, the acceptance and acknowledgment of donations, and the reading of papers communicated to the Society on subjects of science, literature, and the arts, in connexion with Asia.

ARTICLE LXI.—Nothing relative to the regulations, management, or pecuniary affairs of the Society shall be introduced and discussed at General Meetings, unless the meeting shall have been declared *special*, in the manner hereinafter provided.

ARTICLE LXII.—Every member of the Society has the privilege of introducing, either personally or by a card, one or two visitors at any General Meeting; but no stranger shall be permitted to be present, unless so introduced, and approved of by the Meeting.

ARTICLE LXIII.—The admission of a new Member may take place at any General Meeting. When he has paid his admission-fee, and subscribed the Obligation-Book, the President, or whoever fills the chair, standing up, shall take him by the hand, and say: "*In the name and by the authority of the Royal Asiatic Society of Great Britain and Ireland, I admit you a member thereof.*"

ARTICLE LXIV.—The Obligation-Book is intended to form a record, on the part of the members (by means of the signature of their names in their own handwriting), of their having entered into the Society, with an engagement (distinctly expressed at the head of the page on which their names are signed), that they will promote the interests and welfare of the Society, and submit to its Regulations and Statutes.

ARTICLE LXV.—The Council may at any time call a *Special Meeting* of the Society, to consider and determine any matter of interest that may arise; to pass, abrogate, or amend regulations, and to fill up the vacancy of any office occasioned by death or resignation.

ARTICLE LXVI.—Such Special Meetings shall also be convened by the Council, on the written requisition of *Five Members* of the Society, setting forth the proposal to be made, or the subject to be discussed.

ARTICLE LXVII.—Notice of Special Meetings shall be given to every member residing within the limits of the Three-penny post; apprising him of the time of the meeting, and of the business which is to be submitted to its consideration. No other business shall be brought forward besides that which has been so notified.

ARTICLE LXVIII.—The course of business, at *General Meetings*, shall be as follows :

1. Any specific and particular business which the Council may have appointed for the consideration of the meeting, and of which notice has been given, according to Article LXVII., shall be discussed.
2. The names of strangers proposed to be introduced shall be read from the chair; and if approved, they shall be admitted.
3. The minutes of the preceding Meeting shall be read by the Secretary, and signed by the Chairman.
4. Donations presented to the Society shall be announced, or laid before the Meeting.
5. Certificates of recommendation of Candidates shall be read.
6. New Members shall be admitted.
7. Ballots for new Members shall take place.
8. Papers and Communications shall be read.

ARTICLE LXIX.—The Anniversary Meeting of the Society shall be held on the second *Saturday* in *May*, to elect the Council and Officers for the ensuing year; to receive and consider a Report of the Council on the state of the Society; to receive the Report of the Auditors on the Treasurer's Accounts; to receive the Report of the Committee of Correspondence; to enact or repeal regulations; and to deliberate on such other questions as may be proposed relative to the affairs of the Society.

#### OF THE PUBLICATIONS OF THE SOCIETY.

ARTICLE LXX.—Communications and Papers, read to the Society, shall, from time to time, be published, under the title of *Transactions*, or *Journal of the Royal Asiatic Society of Great Britain and Ireland*.

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## ERRATA TO NUMBER III.

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Contents, Art. v. (and elsewhere) *for* Colbrooke, *read* Colebrooke.

.. ix. (and elsewhere) *for* R. S. Money, *read* R. C. Money.

Page 29, line 12, *for* Messrs. Forbes and Royle, *read* Mr. Forbes Royle.

.. 30, .. 32, *for* 15°, *read* fifteen.

.. 34, .. 14, *for* milles, *read* millet.

.. 35, .. 19, *for* rhododendrum,<sup>2</sup> arboreum, *read* rhododendrum arboreum.<sup>2</sup>

.. —, note 4, *after* 12,000, *insert* feet.

.. 36, .. 37, *for* sanatarium, *read* sanitarium.

.. 37, .. 4, *for* hog, *read* dog.

.. —, .. 29, *after* musk, *insert* rat.

.. —, .. 30, *for* gypactora, *read* gypactos.

.. 43, .. 20, *for* wearing, *read* weaving.

.. 51, .. 32, *for* Inocentius, *read* Innocentius.

.. 66, .. 30, *for* bājri, *read* bājra.

.. 68, note 1, *for* monocum, *read* monococum.

.. —, .. 2, *for* arictinum, *read* arietinum.

.. —, .. 4, *for* carthanus, *read* Carthamus.

.. 69, note *for* Citysus *read* Cytisus.

.. —, line 6, *after* a rupee and a half, *insert* per bighā.

.. 72, .. 21 from bottom, *for* Zoolites, *read* Zeolites.

.. 165, .. 14, *for* الكراهية *read* الكراهية

.. 175, .. 2, *for* and, *read* ere.

.. 183, .. 32, *for* Malik *read* Antar.

.. 192, .. 21, *for* Fyotisha-tattra, *read* Jyotisha-tattra.

.. 199, .. 8, *for* Rādhākant, *read* Rādhākant.

.. —, note 1, *for* J. Wilson's, *read* see Wilson's.

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